

2020 STATE OF OKLAHOMA BALLOT ACCESS PACKET INDEPENDENT CANDIDATE FOR PRESIDENT OF THE UNITED STATES



Attention Candidates: This packet has been prepared by the Secretary of the Oklahoma State Election Board for candidates who wish to appear on the 2020 General Election ballot as Independent (no party) candidates for President of the United States.

Important Dates

Last day to Submit Statements of Candidacy and
Petitions Supporting Candidacy or a filing fee:
Wednesday, July 15, 2020

The Secretary of the State Election Board shall determine and certify sufficiency
of the petition within 30 days of receipt.

Last date for Presidential Elector nominees pledged to Independent candidate
to file Oath with the Secretary of the State Election Board:
Tuesday, August 4, 2020

Last date for Independent candidate to certify to Secretary of the State
Election Board the name of Vice Presidential running mate:
Wednesday, August 19, 2020

Contents of Ballot Access Packet:

Documents included in this Ballot Access Packet, listed below, must be completed and filed with the Secretary of the Oklahoma State Election Board:

1. 2020 Oklahoma Statement of Candidacy for Independent Candidate for President of the United States.
2. Candidate Qualifications and Requirements.
3. Petition Supporting Independent Candidate form.
4. State of Oklahoma Presidential Elector Oath or Affirmation form.

Petition Signature Requirements

The number of signatures required to place Independent candidates for President and Vice President on the ballot shall be at least three percent (3%) of the total votes cast in the last General Election for Governor. (See 26 O.S. §10-101.1(4c) and 26 O.S. §1-108(2).)

The last General Election for Governor was held **November 6, 2018**.

Total Votes Cast for Governor:	1,186,385
3%:	35,592

Minimum Required Signatures:	<u>35,592</u>
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Each page of such petition shall contain the names of registered voters from a single county in this state. A petition form is included in this packet.

New! – Filing Fee In Lieu of Petition

Oklahoma law [26 O.S. §10-101.1 (A)(4)] was amended in 2017 to allow Independent candidates for President to submit a filing fee in lieu of a petition. The filing fee is in the amount of Five Thousand Dollars (\$5,000.00) for each Presidential Elector pledged to the candidate. Oklahoma is allotted seven (7) Presidential Electors. The sum of the filing fee for seven (7) Presidential Electors pledged to the Independent candidate is thirty-five thousand dollars (\$35,000.00).

The sum of the filing fees may be paid in a single cashier's check or certified check made payable to "**Secretary of the State Election Board.**"

Ballot Access Deadlines in 2020

July 15, 2020	Last day to submit Statement of Candidacy with a petition or a filing fee to the Secretary of the State Election Board
August 4, 2020	Last day for Presidential Electors to file Presidential Elector Oath or Affirmation with the Secretary of the State Election Board
August 19, 2020	Independent candidate to certify the name of Vice Presidential candidate to the Secretary of the State Election Board

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Candidate Qualifications and Requirements

United States Constitution, Article II, Section 1:

Regarding Electors: "Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector."

Regarding Qualifications: "No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States."

Oklahoma Statutes, Title 26, Section 10-101.1:

"A. The following procedure shall be observed for Presidential Electors pledged to an independent candidate for President of the United States:

"1. A person wishing to appear on the General Election ballot as an independent candidate for President of the United States shall file a Statement of Candidacy with the Secretary of the State Election Board no later than July 15 of a presidential election year;

"2. a. the Statement of Candidacy shall be in a form to be prescribed by the Secretary of the State Election Board, and shall include the candidate's full legal name, the candidate's address of residence, the candidate's mailing address, the name of the candidate as it should appear on the ballot and any other information required by the Secretary of the State Election Board,
b. the candidate shall swear an oath or affirm on the Statement of Candidacy that the candidate meets the qualifications for President of the United States set forth in the Constitution of the United States, and the candidate's signature shall be witnessed by a notary public;

"3. The Statement of Candidacy shall be accompanied by a certification of the name and address of residence for each candidate for Presidential Elector pledged to the independent candidate for President of the United States. The number of electors so certified shall be equal to the number apportioned to the State of Oklahoma pursuant to the provisions of Section 1 of Article II of the United States Constitution. Each candidate for Presidential Elector so nominated shall subscribe to an oath prescribed by the Secretary of the State Election Board, which shall be in the same manner, substance and form as the oath described in [Section 10-102](#) of this title;

"4. a. the Statement of Candidacy shall be accompanied by a petition supporting a candidate's filing,

"b. the form of the petition shall be prescribed by the Secretary of the State Election Board. Each page of the petition must contain the names of registered voters from a single county,

"c. the petition shall bear the same number of signatures of registered voters that is required to form a recognized political party as described in [Section 1-108](#) of this title,

"d. within thirty (30) days after receipt of the petition, the Secretary of the State Election Board shall determine the sufficiency of the petition,

e. in lieu of the petition required by this subsection, a filing fee for each Presidential Elector committed to the independent candidate for President of the United States may be submitted in the form of a cashier's check or certified check

made payable to the Secretary of the State Election Board. The filing fee for each Presidential Elector shall be in an amount equal to the filing fee described in [Section 20-102](#) of this title. The sum of the filing fees for each Presidential Elector may be paid in a single cashier's check or certified check. The filing fees shall be deposited in the State Election Board Revolving Fund created pursuant to [Section 3-107](#) of this title; and

"5. If the requirements set forth in this section are found by the Secretary of the State Election Board to be sufficient, then the independent candidate for President of the United States shall be qualified to appear on the General Election ballot. The candidate shall certify to the Secretary of the State Election Board the name of the candidate's Vice Presidential running mate no later than the deadline established in [Section 10-101](#) of this title for the certification by a recognized political party of its nominee for Vice President of the United States."

"B. A political party not recognized under the laws of the State of Oklahoma may place its nominees for President of the United States, Vice President of the United States and Presidential Electors on the ballot subject to the same requirements, restrictions and deadlines as provided for an independent candidate for President of the United States. Provided, the national chair of the unrecognized political party shall submit the Statement of Candidacy on behalf of the unrecognized political party, and shall provide the Secretary of the State Election Board with a separate certificate of nomination for the unrecognized political party's nominees for President and Vice President of the United States, in a form and manner prescribed by the Secretary of the State Election Board."

Oklahoma Statutes, Title 26, Section 10-101:

"D. A recognized political party shall certify its nominees for President of the United States and Vice President of the United States to the Secretary of the State Election Board no later than seventy-five (75) days prior to the date of the General Election to ensure the State Election Board and the county election boards have sufficient time to meet the deadline for sending absentee ballots to uniformed services voters pursuant to federal and state law."

Oklahoma Statutes, Title 26, Section 10-102:

"Every party nominee for Presidential Elector shall subscribe to an oath, stating that said nominee, if elected, will cast a ballot for the persons nominated for the offices of President and Vice President by the nominee's party. The oath shall be notarized by a notary public and filed with the Secretary of the State Election Board no fewer than ninety (90) days prior to the General Election."

Oklahoma Statutes, Title 26, Section 10-104:

"The electors for President and Vice President, hereinafter referred to as Presidential Electors, shall be registered voters of Oklahoma; provided, however, that no United States Senator or United States Representative or person holding an office of trust or profit under the United States shall be a Presidential Elector."

Oklahoma Statutes, Title 26, Section 1-108:

Regarding Required Number of Petition Signatures: ". . . petitions seeking recognition of a political party, in a form to be prescribed by the Secretary of the State Election Board, shall be filed with such Secretary, bearing the signatures of registered voters equal to at least three percent (3%) of the total votes cast in the last General Election for Governor. Each page of such petitions must contain the names of registered voters from a single county."

**STATE OF OKLAHOMA
2020 PETITION SUPPORTING INDEPENDENT CANDIDATE
FOR PRESIDENT OF THE UNITED STATES**

(Name of Candidate)

(County)

I, the undersigned, certify that **I am a registered voter in the State of Oklahoma, in the county named above**, and that I support the candidacy of the **Independent** candidate named above for President of the United States.

	Voter's Signature	Voter's Name (Print)	Voter's Street Address (Print)	City (Print)	ZIP Code	Date Signed		
						Month	Day	Year
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								

Notice to Circulator: Only voters who are residents of the county named above may sign this petition page.

Witnessed by: _____
(Printed Name of Circulator)

(Signature of Circulator)

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State of Oklahoma



Presidential Elector Oath or Affirmation

I, _____, do solemnly swear (or affirm) that if I am elected to the office of Presidential Elector at the next general election, I will cast my ballot as such Presidential Elector for _____ and _____, Independent candidates for the offices of President and Vice President of the United States as required by 26 O.S. §10-102

(Elector's Signature) (Date)

Notary	
SEAL	State of _____ County of _____
	Subscribed and sworn to before me by _____ <small>(Name of person) (Date)</small>
	My Commission expires _____ Commission Number _____
	_____ Signature of Notary Public or Officer Authorized to Administer Oath
	_____ Title of Officer (Notary Public or Other Officer)

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