

## Candidate Filing Procedure

### Declaration of Candidacy/Petition (Title 34, Chapters 6 & 7, Idaho Code)

An individual seeking public office must file a declaration of candidacy or, in the case of a write-in candidate, a declaration of intent to be a write-in. Candidate filing forms are supplied by Caxton Printers in the Clerk's Supplies.

Partisan candidates have the option of filing a declaration and paying a filing fee of \$40.00 or submitting a petition with the required number of signatures. Precinct committeeman candidates only file a declaration. No filing fee or petition is required.

Upon receipt of a filing with signatures, signatures should be verified immediately.

Independent candidates must file a declaration and petition; they cannot opt to merely pay a filing fee. Independent candidates have no party affiliation and will not appear on the primary ballot.

Candidates can only file for one office unless they also file for precinct committeeman. Only in this instance an individual's name may appear on the ballot twice.

Candidates must have a complete filing in the clerk's office not later than 5:00 PM on the last day of filing. No extensions are allowed under the law.

### Vacancies (Sections, 34-714, 34-715, Idaho Code)

A vacancy exists **only** when one candidate of a political party **files** during the regular filing period **and withdraws, dies or is disqualified**. If a candidate did not file during the regular filing period for a particular office for a given party, a vacancy does not exist under the law and cannot be filled by the political party.

### Vacancy deadlines for Primary and General Election

Candidates must file a notarized statement of withdrawal with the County Clerk before their name will be removed from the ballot. A candidate may not withdraw later than 45 days before a primary and not later than September 7 in the case of a general election. (Section 34-717, Idaho Code)

Vacancies occurring due to death or disqualification within 10 days of the election are not filled.

Vacancies are filled by the County Central Committee within 15 days of the vacancy. The appointed candidate must pay the filing fee and file a declaration of candidacy in order to appear on the ballot.

### **Write-in Candidates (Section 34-702, Idaho Code)**

A person must file a notarized declaration of intent with the County Clerk not later than 14 days before the election for any write-in votes to be counted.

Successful primary write-in candidates shall pay the filing fee and file a declaration of candidacy within 10 days after the county canvass for their name to appear on the general election ballot.

### **Candidates Filing with the Secretary of State**

Federal, Statewide, Legislative and District Judge candidates file with the Secretary of State.

Just like the county candidates, the candidates filing with the Secretary of State shall have their filings in the Secretary of State's office not later than 5:00 pm the last day of filing.

Forms are available for these offices on the Secretary of State's website  
<http://www.idsos.state.id.us/elect/candidat/06candforms.htm>