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Running for the ND Legislature

State Senator House of Representatives

Qualifications and Terms of Office

State Senator or House of Representatives must be, on the day of the election, qualified voters in the district from which they are chosen and have been a resident of the state for one year preceding their election ([North Dakota Constitution, Article IV, Section 4, 5 and 10](#)).

The 4-year terms of State Senators and House of Representatives begin December 1 following the election.

Running in the Primary Election

Candidates for legislative office may choose one of two methods for placing their names on the June 8, 2010, Primary Election ballot. They include:

A. Petition/Certificate of Nomination: Candidates may file a Petition/Certificate of Nomination with their county auditor of residence containing signatures equal to 1% of the total population of the legislative district. However, no more than 300 signatures are required ([NDCC § 16.1-11-11](#)).

B. Certificate of Endorsement: Candidates endorsed by established political parties in North Dakota may file a Certificate of Endorsement with their county auditor of residence in order to have their names placed on the June 8, 2010, Primary Election ballot ([NDCC § 16.1-11-11](#)).

A Complete Filing Must Include:

1. A **Petition/Certificate of Nomination (SFN 2704)** containing signatures equal to 1% of the total population of the legislative district **OR** a **Certificate of Endorsement (SFN 17196)**;
2. An **Affidavit of Candidacy (SFN 2703)**;
3. A **Statement of Interests (SFN 10172)**.

Circulating a Petition/Certificate of Nomination

A Petition/Certificate of Nomination may not be circulated or signed more than 90 days before the date the petition must be filed with their county auditor of residence. Therefore, candidates may not circulate or have a Petition/Certificate of Nomination signed before **January 9, 2010**.

When and Where to File

Candidates may not file earlier than 150 days before or later than 4:00 p.m. on the 60th day before the June 8, 2010, Primary Election.

The filing deadline with the **county auditor** is **4:00 p.m. on April 9, 2010**. Original filings must be in the physical possession of the county auditor's office by the filing deadline.

Running as a Write-In Candidate in the Primary Election

A person who intends to be a write-in candidate for legislative office in the June 8, 2010, Primary Election shall file a Certificate of Write-In Candidacy with their county auditor of residence by 4:00 p.m. on the 4th day before the Primary Election. The sworn Certificate of Write-In Candidacy must contain the complete address of the candidate ([NDCC Ch. 16.1-12-02.2](#)).

A Complete Filing Must Include:

1. A **Certificate of Write-In Candidacy (SFN 50599)**;
2. A **Statement of Interests (SFN 10172)**.

When and Where to File

Completed Certificates of Write-In Candidacy must be filed by 4:00 p.m. on the 4th day before the June 8, 2010, Primary Election.

The filing deadline with the **county auditor** is **4:00 P.M. on June 4, 2010**. Original filings must be in the physical possession of the county auditor's office by the filing deadline.

Options for other National Parties

A party may endorse candidates for legislative office for inclusion on the June 8, 2010, Primary Election Ballot. To do so, the party must establish itself and gain ballot access by the 60th day prior to the June 8, 2010, Primary Election. That deadline is **April 9, 2010**.

A party that has failed to establish itself and gain ballot access by the April 9, 2010, deadline may only nominate candidates for inclusion on the November 2, 2010, General Election ballot as independents ([NDCC § 16.1-11-30](#) and Ch. [16.1-12](#)).

Running in the General Election

Candidates for legislative office who receive the highest number of votes within their political party designation at the June 8, 2010, Primary Election will automatically be placed on the November 2, 2010, General Election ballot. No person may be deemed nominated as a candidate for any office at any primary election unless the candidate receives a number of votes equal to the number of signatures required, or which would have been required had the candidate not had his or her name placed on the ballot through a Certificate of Endorsement, on a petition to have a candidate's name for that office placed on the primary ballot ([NDCC § 16.1-11-36](#)).

Running as an Independent Candidate in the General Election

A party that has failed to establish itself according to Section 16.1-11-30 of the North Dakota Century Code by the April 9, 2010, deadline, or any other entity or individual, may nominate candidates for legislative office for inclusion on the November 2, 2010, General Election ballot as independents. Independent candidates will be designated on the general election ballot as "independent nominations" and will not carry a specific party designation or affiliation (NDCC Ch. [16.1-12](#)).

A Complete Filing Must Include:

1. A **Petition/Certificate of Nomination (SFN 2704)** containing the signatures equal to 2% of the total population of the legislative district. However, no more than 300 signatures are required.
2. An **Affidavit of Candidacy (SFN 2703)**;
3. A **Statements of Interests (SFN 10172)**.

Circulating a Petition/Certificate of Nomination

A Petition/Certificate of Nomination may not be circulated or signed more than 150 days before the date the petition must be filed with their county auditor of residence. Candidates may not circulate or have a Petition/Certificate of Nomination signed before **April 6, 2010**, for the November General Election.

When and Where to File

Independent candidates must file by the 60th day before the November 2, 2010, General Election.

The filing deadline with the **county auditor is 4:00 p.m. on September 3, 2010**. Original filings must be in the physical possession of the county auditor's office by the filing deadline.

Running as a Write-In Candidate in the General Election

A person who intends to be a write-in candidate for legislative office at the November 2, 2010, General Election shall file a Certificate of Write-In Candidacy with their county auditor of residence by 4:00 p.m. on the 4th day before the General Election. The Certificate of Write-In Candidacy must contain the complete address of the candidate (NDCC Ch. [16.1-12](#)).

A Complete Filing Must Include:

1. A **Certificate of Write-In Candidacy (SFN 50599)**;
2. A **Statement of Interests (SFN 10172)**.

The Filing Deadline

Certificates of Write-In Candidacy must be filed by 4:00 p.m. on the 4th day before the November 2, 2010, General Election.

The filing deadline with the **county auditor is 4:00 p.m. on October 29, 2010**. Original filings must be in the physical possession of the county auditor's office by the filing deadline.

Campaign Finance and Disclosure

Candidates for legislative office are subject to the campaign finance and disclosure requirements found in NDCC Chapter [16.1-08.1](#).

Forms

The state forms (SFN's) listed above are available from the Secretary of State's office and county auditors' offices and may also be accessed from the Secretary of State's web site and Fax-On-Demand service line.

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