

- (f) The term “elected office” means any of the following elected party, District, or federal offices:
- (1) National committeemen and national committeewomen of political parties, and alternates, when the party has requested the inclusion of these offices at a regularly scheduled primary election in a presidential election year;
 - (2) Delegates to conventions and conferences of political parties, and alternates, when the party has requested the inclusion of these offices at a regularly scheduled primary election in a presidential election year;
 - (3) Members and officials of local committees of political parties when the party has requested the inclusion of these offices at a regularly scheduled primary election in a presidential election year;
 - (4) Electors of President and Vice President of the United States;
 - (5) Delegate to the House of Representatives;
 - (6) Members of the State Board of Education;
 - (7) Members of the Council of the District of Columbia, including Chairman;
 - (8) Attorney General for the District of Columbia;
 - (9) Mayor of the District of Columbia;
 - (10) United States Senator;
 - (11) United States Representative; and
 - (12) Advisory Neighborhood Commissioner.

SOURCE: Final Rulemaking published at 27 DCR 3805 (August 29, 1980), incorporating the text of Proposed Rulemaking published at 27 DCR 2768-69 (June 27, 1980); as amended by Final Rulemaking published at 30 DCR 5289, 5294-95 (October 14, 1983); as amended by Final Rulemaking published at 61 DCR 625 (January 24, 2014); as amended by Final Rulemaking published at 70 DCR 015793 (December 15, 2023).

601 DECLARATION OF CANDIDACY

601.1 Each candidate for nomination to elected office shall declare his or her candidacy on an affidavit form prescribed by the Board (after this, “Declaration of Candidacy”).

601.2 The Declaration of Candidacy filed by the candidate shall contain the following information:

- (a) The name, and address of the candidate;
- (b) The office that the candidate seeks;
- (c) The date of the election;
- (d) The ward or Advisory Neighborhood Commission Single-Member District from which the candidate seeks election, where applicable;
- (e) The candidate’s party affiliation, where applicable;
- (f) The candidate’s residence addresses for the applicable period to determine eligibility;
- (g) The candidate’s designation of how he or she would like his or her name to be listed on the ballot;
- (h) A statement that the candidate meets the qualifications for holding the office sought; and
- (i) A notice of the penalties for making false representations as to one’s qualifications for holding elective office.

601.3 Each candidate shall swear under oath or affirm before a District notary or Board official that the information provided in the Declaration of Candidacy is true to the best of the candidate’s knowledge and belief.

601.4 The Declaration of Candidacy shall also contain sufficient space for the candidate to print his or her email address and phone number. By providing an email address, the candidate consents to receiving official communication by email at the address provided.

- 601.5 The Declaration of Candidacy must be filed before the Registrar will issue nominating petitions for the particular office sought, except that in the event the nomination of candidates for election to the office of presidential elector is made by message to the Board pursuant to D.C. Code § 1-1001.08(d) (2011 Repl.), the deadline for filing the Declaration of Candidacy shall be the same date as the deadline for making nominations by message.
- 601.6 Within three (3) business days after the deadline for filing nominating petitions for the particular office sought, the Executive Director or his or her designee shall issue a preliminary determination as to the eligibility of the declarant to be candidate for the particular office sought.
- 601.7 Notice of the Executive Director's preliminary determination shall be served immediately by email or first-class mail upon each candidate.
- 601.8 The preliminary determination of eligibility shall be based solely upon information contained in the Declaration of Candidacy and upon information contained in other public records and documents as may be maintained by the Board. The criteria used for determining eligibility to be a candidate shall be limited to the appropriate statutory qualifications for the particular office sought.
- 601.9 The preliminary determination of eligibility shall in no way be deemed to preclude further inquiry into or challenge to the eligibility of an individual for candidacy or office made prior to the certification of election results. The Executive Director or his or her designee may reverse a preliminary determination of eligibility based upon evidence which was not known to the Executive Director at the time of the preliminary determination or upon evidence of changed circumstances. Except insofar as the Executive Director may exercise his or her discretion to revisit a preliminary favorable determination of eligibility, a preliminary favorable determination is subject to review exclusively through nominating petition challenge procedures (including challenge filing deadlines) set forth at D.C. Code § 1-1001.08(o).
- 601.10 In the event that the Executive Director determines that an individual is ineligible to be a candidate for the particular office sought, the individual's nominating petition shall nevertheless be posted for the challenge period specified in D.C. Code § 1-1001.08(o) (2011 Repl.), along with the Executive Director's preliminary determination.

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- 601.11 Within three (3) days of receipt of notice of an adverse determination of eligibility, a declarant aggrieved by the decision may file a written notice of appeal with the Board, duly signed by the declarant and specifying concisely the grounds for appeal.
- 601.12 The Board shall hold a hearing on the appeal within three (3) days after receipt of the appeal notice.
- 601.13 The hearing shall be conducted in accordance with the procedures provided in the District of Columbia Administrative Procedure Act, D.C. Official Code §§ 2-501 *et seq.* (2011 Repl.), and may be heard by a one-member panel (D.C. Official Code § 1-1001.05(g) (2011 Repl.)).
- 601.14 Any appeal from a decision of a one-member panel to the full Board shall be taken in the manner prescribed by D.C. Official Code § 1-1001.05(g) (2011 Repl.); however, in no case shall the time allowed for the appeal exceed fourteen (14) calendar days from the date of decision of the one-member panel.

SOURCE: Final Rulemaking published at 30 DCR 5289 (October 14, 1983); as amended by Final Rulemaking published at 31 DCR 4524 (September 14, 1984); as amended by Final Rulemaking published at 40 DCR 8633-34 (December 17, 1993); as amended by Final Rulemaking published at 48 DCR 11722 (December 28, 2001); as amended at 49 DCR 2737 (March 22, 2002); as amended by Final Rulemaking published at 61 DCR 625 (January 24, 2014); as amended by Final Rulemaking published at 70 DCR 015793 (December 15, 2023); as amended by Final Rulemaking published at 71 DCR 005415 (May 10, 2024).

602 AFFIRMATION OF WRITE-IN CANDIDACY

- 602.1 In the case of a primary election, a write-in nominee who wishes to perfect their candidacy shall file with the Board an Affirmation of Write-in Candidacy on a form provided by the Board not later than 5:00 p.m. on the third (3rd) day immediately following the election.
- 602.2 In the case of a general or special election, a write-in nominee who wishes to perfect their candidacy shall file with the Board an Affirmation of Write-in Candidacy on a form provided by the Board not later than 5:00 p.m. on the seventh (7th) day immediately following the election.
- 602.3 Nothing in this section shall prohibit an individual seeking to declare write-in candidacy from filing an Affirmation of Write-in Candidacy prior to write-in nomination, provided that the determination of the write-in candidate's eligibility shall proceed in accordance with this chapter. Write-in nominees who fail to submit the documents required by this section within the prescribed times shall be deemed to be ineligible candidates.
- 602.4 The Affirmation of Write-in Candidacy form shall contain the same information required for the Declaration of Candidacy described in this chapter.
- 602.5 Each write-in candidate shall swear under oath or affirm before a District of Columbia notary or Board official that the information provided in the Affirmation of Write-in Candidacy is true to the best of his or her knowledge and belief.
- 602.6 If a write-in nominee is an apparent winner of an election contest, the Executive Director or his or her designee shall issue a preliminary determination as to the eligibility of the write-in nominee if such nominee has perfected his or her candidacy on or before the prescribed deadline. No eligibility determination shall be made for affirmants who are not apparent winners.
- 602.7 Notice of any adverse determination shall be served immediately by mail and/or email to the email address for the person identified on the Affirmation of Write-in Candidacy form.
- 602.8 The determination of eligibility shall be based solely upon information contained in the Affirmation of Write-In Candidacy and upon information contained in other public records and documents as may be maintained by the Board. The criteria used for determining eligibility to be a candidate shall be limited to the appropriate statutory qualifications for the particular office sought.

- 602.9 The determination shall in no way be deemed to preclude further inquiry into or challenge to such individual's eligibility for candidacy or office made prior to the certification of election results by the Board and based upon information which is not known to the Board at the time of the preliminary determination, or upon evidence of changed circumstances.
- 602.10 If a write-in winner is declared ineligible after the election, no winner shall be declared.
- 602.11 Notice of the successful bid of a write-in candidate shall be provided through the posting of election results on the Board's website. No other notice is required.

SOURCE: Final Rulemaking published at 27 DCR 3805 (August 29, 1980), incorporating the text of Proposed Rulemaking published at 27 DCR 2768, 2770-71 (June 27, 1980); as amended by Final Rulemaking published at 29 DCR 1223 (March 19, 1982), as amended by Final Rulemaking published at 29 DCR 2798 (July 2, 1982); as amended by Final Rulemaking published at 30 DCR 5289, 5295-96 (October 14, 1983); as amended by Final Rulemaking published at 31 DCR 4524 (September 14, 1984); as amended by Final Rulemaking published at 61 DCR 625 (January 24, 2014); as amended by Final Rulemaking published at 62 DCR 14744 (November 13, 2015); as amended by Final Rulemaking 68 DCR 011072 (October 22, 2021); as amended by Final Rulemaking published at 70 DCR 012730 (September 22, 2023); as amended by Final Rulemaking published at 70 DCR 015793 (December 15, 2023).

603 WITHDRAWAL OF CANDIDATES

- 603.1 Except as provided in this section, a candidate shall withdraw his or her candidacy by executing and filing with the Board a notarized affidavit which states that the candidate irrevocably withdraws the candidacy for the office to which he or she has been nominated or is seeking nomination. The withdrawal shall be irrevocable only for the office sought and for the election at issue.
- 603.2 Notwithstanding the requirements set forth in Subsection 603.1 of this section, a candidate may effect withdrawal by emailing to the Board a non-notarized affidavit which states that the candidate irrevocably withdraws the candidacy for the office to which he or she has been nominated or is seeking nomination, provided that the email is sent from the email address provided by the candidate in his or her Declaration of Candidacy filed in accordance with Subsection 601 of this section.
- 603.3 In the case of a presidential candidate who publically withdraws during a primary election and no affidavit of withdrawal is received from the candidates for delegate in support of that presidential candidate, the Board may remove the names of such candidates from the ballot.
- 603.4 The Executive Director or his or her designee shall provide public notice of all withdrawals.
- 603.5 The affidavit of withdrawal shall be filed with the Board no later than 5 p.m. on the 54th day before Election Day. If a candidate withdraws after the 54th day before Election Day, his or her name may still appear on the official ballot or separate handout (in the case of a presidential preference primary, pursuant to party rule). In this case, notice of the candidate's withdrawal shall also be posted in vote centers.

SOURCE: Final Rulemaking published at 27 DCR 3805 (August 29, 1980), incorporating the text of Proposed Rulemaking published at 27 DCR 2768, 2771 (June 27, 1980); as amended by Final Rulemaking published at 30 DCR 5289, 5296 (October 14, 1983); as amended by Final Rulemaking published at 61 DCR 625 (January 24, 2014); as amended by Final Rulemaking published at 70 DCR 012730 (September 22, 2023).

604 [REPEALED]

SOURCE: Final Rulemaking published at 27 DCR 3805 (August 29, 1980); incorporating the text of Proposed Rulemaking published at 27 DCR 2768, 2771-73 (June 27, 1980); as amended by Final Rulemaking published at 30 DCR 5289, 5296 (October 14, 1983); as amended by Final Rulemaking published at 35 DCR 7486-87 (October 14, 1988); as amended by Final Rulemaking published at 56 DCR 4738, 4741 (June 19, 2009); as amended by Final Rulemaking published at 61 DCR 625 (January 24, 2014).

605 [REPEALED]

SOURCE: Final Rulemaking published at 27 DCR 3805 (August 29, 1980); incorporating the text of Proposed Rulemaking published at 27 DCR 2768, 2771-73 (June 27, 1980); as amended by Final Rulemaking published at 30 DCR 5289, 5296 (October 14, 1983); as amended by Final Rulemaking published at 59 DCR 4773, 4774 (May 11, 2012); as amended by Final Rulemaking published at 61 DCR 625 (January 24, 2014).