

THE BOTTOM FIVE: THE WORST STATE BALLOT ACCESS LAWS IN AMERICA



1: OKLAHOMA

Oklahoma has by far the worst ballot access laws in the nation. Before 1974, the requirement for a new political party to get on the ballot was a petition of only 5,000 signatures.

Now Oklahoma requires a petition with signatures equal in number to 5% of the total number of voters who voted for the office at the top of the ticket in the most recent election.

For 2010, that means that **73,134** valid signatures must be collected **within a 90-day window** to qualify a political party.

Free & Equal has been working with Oklahomans for Ballot Access to lobby for OK HB 1074. The bill would dramatically reduce the signature requirements for independents and third party candidates, and would drop Oklahoma from the worst ranking in the nation.



#2: NORTH CAROLINA

North Carolina's ballot access laws are simple, but extremely restrictive. For a new political party to gain a spot on the ballot, they must obtain signatures on a petition equal in number to two percent of the total number of voters who voted in the most recent election for Governor.

In addition, the petitions must contain at least 200 signatures from each of at least four of North Carolina's Congressional Districts.

For the 2010 and 2012 elections, the required number of signatures is **85,379**.

As with all states, validity rates vary for signatures, but most agree a party would need at least **115,000** signatures to appear on the ballot in North Carolina.

Free & Equal Elections will be lobbying on behalf of an improved ballot access bill in the North Carolina General Assembly. We anticipate North Carolina being removed from the top five worst states for ballot access by 2012.



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Georgia law states that a candidate must turn in petitions equaling 5% of the registered voters from the district the candidate is running in. If a candidate plans to run statewide, they must get signatures from 1% of the total registered voters in the state.

Since these requirements were passed in 1943 to keep the Communist Party off the ballot, *no* independent or third-party candidate has *ever* managed to make it on the ballot in a U.S. House of Representatives race.



#4: TEXAS

To gain ballot access in Texas, a registered political party must collect petition signatures equal to one percent of the total votes cast in the preceding election for governor, or obtain five percent of the vote in any statewide election. The window for collecting signatures is prohibitive, with petition gathering limited to 75 days.

For 2010, the required number of signatures in Texas is ***nearly 44,000***.

In 2008, the Democrat and Republican parties failed to submit their candidates for President to the Secretary of State by the legal deadline. The Libertarian Party was the only party to meet the deadline. The courts allowed the Democrats and Republicans on the ballot anyway.



#5: INDIANA

For an Independent or Third Party to appear on the ballot in Indiana, they must submit a petition signed by the number of voters equal to 2% of the total votes cast for Secretary of State in the previous general election. In 2010, the signature requirement will be ***over 30,000 signatures***.

Republican and Democratic candidates are required to submit ***only 4,500*** signatures, 500 from each of Indiana's 9 congressional districts.

The signature gathering window is extremely tight, with petitions due in June of the election year. Indiana's ballot access restrictions are so severe, no statewide Third-Party or Independent candidate petition has succeeded since 2000.

