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How to Run for Office as a Write-in Candidate

A person can seek nomination and election without filing nomination papers to have their name printed as a candidate on the ballot by conducting a write-in or sticker campaign. All ballots must have an area designated as a write-in space. This space allows a voter to physically write in the name of a person other than those names already printed on the ballot and thereby obtain a vote. A "sticker campaign" is when a candidate provides voters with stickers containing the candidate's name as registered to affix on the ballot in the area for write-ins. A voter need not use the sticker to have such vote counted for the sticker candidate. He or she can physically write in the name of that candidate.

The first step in running for office as a write-in or sticker candidate is checking with local election officials about any particular technicalities involved, such as enrollment or residency requirements. Also, while not required, our Office strongly recommends notifying your local election officials of your intention to run as a write-in or sticker candidate. When notified, the local election officials can inform precinct officials to carefully count all write-ins or stickers.

Informing the public of your candidacy will be your primary activity. To vote for a write-in or sticker candidate, voters are being asked to extend themselves beyond customary voting practices of simply filling in an oval, connecting an arrow or marking an 'X' next to a name on the ballot. Accordingly, you have to inform voters of the procedures to follow so that their votes are valid and counted.

General Requirements

All write-in or sticker votes should include the correct name and address of the candidates. Courts have ruled that a vote should be counted whenever the intent of the voter can reasonably be determined, even if a voter omits the candidate's address or makes a mistake in the name or address. In *O'Brien v. Board of Election Commissioners*, 257 Mass. 332, 338-339, 153 N.E. 553, 556 (1926) the court said "that if the intent of the voter can be determined with reasonable certainty from an inspection of the ballot, in the light of the generally known conditions attendant upon the election, effect must be given to that intent... The omission of the residence ... on some ballots on which the name had been written by the voters rightly was found not to invalidate such votes." *Maiewski v. Board of Registrars of Voters*, 347 Mass. 681, 199 N.E. 2d 680 (1964). This includes where a voter fails to complete the vote indicator next to the write-in space—the write-in or sticker vote will still be counted.

It is important for you to give clear instructions to voters about the office which you are seeking and where to write in your name or place the sticker. Please note that write-in and sticker votes are counted *for the office where the name is written or sticker placed*. For example, if you are running as a sticker candidate for selectmen, but the voter places your sticker under school committee, you will receive a vote for school committee.

Please be aware that campaign materials, including stickers, cannot be distributed within 150 feet of the polling location. The 150-foot area includes the polling place, in the building where the polling place is located, on the walls thereof, on the premises on which the building stands, or within 150 feet of the building entrance door to such polling place.

Number of Votes Necessary

Primary Election

To be nominated in a primary, a write-in or sticker candidate must be the top vote getter among the other candidates for the office and the number of write-in votes for the candidate must at least equal the number of signatures required on nomination papers to qualify to be printed on the primary ballot as a candidate. For example, a write-in candidate for state representative would have to get at least 150 write-in votes (plus more than any other candidate) to win the nomination because that is the number of signatures on nomination papers required for a candidate to have their name printed on the ballot.

If a write-in or sticker candidate wins the primary, he or she must file a written acceptance of the nomination with the Secretary of the Commonwealth within thirteen days after a state primary. For a state primary, a receipt from the State Ethics Commission must also be filed, showing that the candidate has filed a statement of financial interest. Also, these documents should be filed if you are petitioning for a recount or challenging the election in court. Otherwise, your name will not appear on the final election ballot.

Presidential Primary—Political Party Committees

Candidates for ward and town committee can run as slates and a single sticker for the slate can be used. Write-in or sticker candidates for ward and town committee must receive at least five (5) votes (and more than any other candidate) to win but do not need to file a written acceptance. Additionally, candidates for ward and town

committee must meet certain enrollment requirements. Specifically, write-in candidates for state, ward or town committees must have been enrolled in the proper party throughout the 90 days prior to the deadline for filing nomination papers. If they are not, they may not be declared elected, and the person receiving the next highest number of votes is elected instead.

General Election

To be elected in a general election, a write-in or sticker candidate must receive more votes than any other candidate for that office. There is no minimum number of votes required.

Paper Ballots

If paper ballots are used in your community, the techniques of a write-in campaign are simple. The voter writes in the name and address of the candidate, with no political party or other designation, in one of the spaces provided below the list of candidates printed on the ballot for that office. The voter is not required to mark an "X" beside the name.

If you wish to run a sticker campaign where paper ballots are used, you must comply with the following requirements:

1. The sticker for an individual candidate should be 4" long by 5/16" high to fit in the ballot space, even though the law allows a sticker to be 4 1/2" long by 1/2" high. A preprinted "X" is not required but may be printed on the right side of the sticker.
2. The name of the candidate shall be printed in black ink exactly as it appears on the voting list, in capital letters 1/8" to 1/4" in height. The number and street (if any) and city or town where the candidate resides shall be added after the name in smaller case type than the name.

Example:

JOHN JONES 12 Cherry St., Acton

No political party or other designation (such as Republican, veteran, present representative, etc.) shall appear. If running on a municipal office ballot, you do not need to include the name of the city or town.

3. Voters should be instructed how to affix the sticker, depending on whether it is the self-adhering type or the type which must be moistened. Sticker directions, including exactly where to place the sticker, may be attached to a card, which may also contain information about the candidate.
4. Voters should be instructed to place the sticker in one of the spaces provided beneath the list of candidates printed on the ballot for that office. The voter is not required to mark an "X" in the box on the right side of the sticker.
5. Stickers may not be distributed inside the polling place, within the building in which the polling place is located, or less than 150 feet from the entrance to the polling place.

Where paper ballots are used, a slate of candidates may run on a single sticker. The slate sticker may be of a size to accommodate the entire slate; multiply the height (5/16th) by the number of candidates and follow the instructions above.

Scanner

If a scanner voting system is used in your community, the techniques for a write-in campaign are similar to those used for paper ballots. The voter writes in the name and address of the candidate, with no political party or other designation, in the space provided below the list of candidates printed on the ballot for that office. The voter can join together the arrow pointing to the candidate written-in or fill in the oval next to the candidate written-in. When the voter completes the oval or the arrow, the vote tabulator will segregate that ballot into a separate compartment to be hand-counted at the close of the polls. However, it is not necessary for the vote indicator to be completed for the vote to be valid. Poll workers are required to review all ballots for write-in and sticker votes.

If you wish to run a sticker campaign where a scanner system is used, you must comply with the following requirements:

1. The sticker for an individual candidate should be 2 1/4" long by 1/4" high to fit the space on the ballot. You may ask your local election official for a sample ballot to make sure you prepare your stickers the correct size.
2. The name of the candidate shall be printed in black ink exactly as it appears on the voting list, in capital letters 1/8" to 1/4" in height. The number and street (if any) and the city or the town where the candidate resides shall be added after the name in smaller type size than the name. No political or other designation (such as Republican, veteran, present representative, etc.) shall appear. If running on a municipal office ballot, you do not need to include the name of the city or town.
3. Voters should be instructed how to affix the sticker, depending on whether it is self-adhering or the type that must be moistened. Sticker directions, including exactly where to place the sticker, may be attached to a card, which may also contain information about the candidate.

4. Voters should be instructed to place the sticker in one of the spaces provided beneath the list of candidates for that office and to complete the voter indicator (fill in the oval or connect the arrow). Although the voter is not required to join together the arrow pointing to the candidate or fill in the oval next to the candidate, if they do, the vote tabulator will segregate the ballot for hand-counting after the polls close.
5. Stickers must not be distributed inside the polling place or within the building in which the polling place is located, or less than 150 feet from the entrance to the polling place. Where a scanner system is used, a slate of candidates may run on a single sticker. The slate sticker may be of a size to accommodate the entire slate; multiply the height (1/4") by the number of candidates and follow the instructions above.

Additional Resources:

Office of Campaign and Political Finance
One Ashburton Place, Room 411
Boston, MA 02108
617-979-8300 or 800.462.OCPF
www.ocpf.us/

State Ethics Commission
One Ashburton Place, Room 619
Boston, MA 02108
617.371.9500
www.mass.gov/orgs/state-ethics-commission

William Francis Galvin, Secretary of the Commonwealth of Massachusetts

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