

1607 **VALIDITY OF SIGNATURES¹**

1607.1 Once a nominating petition has been challenged pursuant to this chapter, a signature shall not be counted as valid in any of the following circumstances:

- (a) The signer’s voter registration was designated as inactive on the voter roll at the time the petition was signed;
- (b) The signer, according to the Board’s records, is not registered to vote at the address listed on the petition at the time the petition was signed; provided that an address on a petition which is different than the address which appears on the Board’s records shall be deemed valid if the signer’s current address is within the boundary from which the candidate seeks nomination and the signer files a change of address form with the Board by no later than 5:00 p.m. on the 10th day after the candidate receives notice of the challenge;
- (c) The signature is a duplicate of a valid signature;
- (d) The signature is not dated;
- (e) The petition does not include the address of the signer;
- (f) The petition does not include the name of the signer where the signature is not sufficiently legible for identification;
- (g) The circulator of the petition sheet was not a qualified petition circulator at the time the petition was signed;
- (h) The circulator of the petition failed to complete all required information in the circulator’s affidavit;
- (i) The signature is not made by the person whose signature it purports to be, provided that registered voters who are unable to sign their names may make their marks in the space for signature. These marks shall not be counted as valid signatures unless the persons witnessing the marks shall attach to the petition affidavits that they explained the contents of the petitions to the signatories and witnessed their marks;
- (j) Reserved;

¹ Rulemaking updates for this section are in process. The updates include alignment with the DC Code and previous Board Administrative Orders. The update addresses the requirement that the circulator must “[p]ersonally witness each person sign the petition” (DC Code § 1–1001.08(b)(3)(B), which could include (but is not limited to) scenarios involving pre-dated circulator affidavits (see BOE Case No. 20-024, 22-006, 22-018, 22-025) or digitally circulated petitions wherein the circulator does not witness the voter signing the petition (see BOE case No. 24-005). Even though not yet final, the DC Code and previous Board Orders mandate this requirement.

- (k) Reserved;
- (l) Reserved;
- (m) The signer is not a registered voter in the ward or Single-Member District from which the candidate seeks nomination at the time the petition was signed;
- (n) On a petition to nominate a candidate in a primary election, the signer is not registered to vote in the same party as the candidate at the time the petition is signed; or
- (o) With respect to a petition for the office of Delegate to the U.S. House of Representatives, U.S. Senator, or U.S Representative, the signer is not a U.S. citizen.

SOURCE: Final Rulemaking published at 36 DCR 8364, 8368 (December 15, 1989); as amended by Final Rulemaking published at 39 DCR 2467, 2511 (April 10, 1992); as amended by Final Rulemaking published at 43 DCR 1078, 1109 (March 1, 1996); as amended by Final Rulemaking published at 48 DCR 11725 (December 28, 2001); as amended by Final Rulemaking published at 49 DCR 2740 (March 22, 2002); as amended by Final Rulemaking published at 51 DCR 5072 (May 14, 2004); as amended by Final Rulemaking published at 51 DCR 7434 (July 30, 2004); as amended by Final Rulemaking published at 60 DCR 5582 (April 12, 2013); 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); as amended by Final Rulemaking published at 70 DCR 015793 (December 15, 2023); as amended by Final Rulemaking published at 71 DCR 001923 (February 23, 2024).