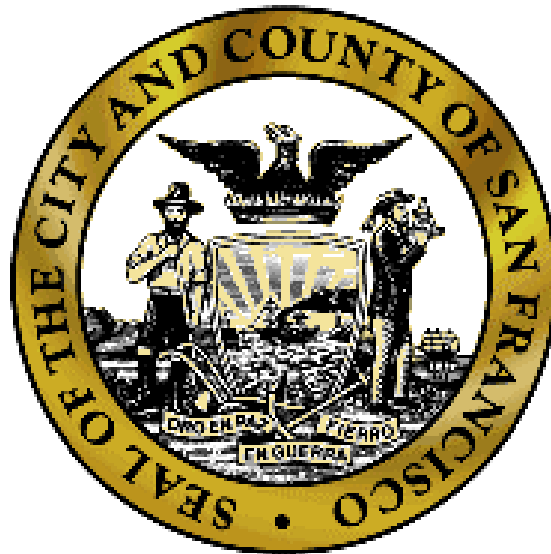


**CANDIDATE GUIDE FOR PEOPLE
RUNNING FOR THE OFFICE OF DISTRICT ATTORNEY**



**CONSOLIDATED GENERAL MUNICIPAL ELECTION
NOVEMBER 4, 2003**

**DEPARTMENT OF ELECTIONS
1 Dr. Carlton B. Goodlett Place, Room 48
San Francisco, CA 94102**



INTRODUCTION

This Candidate Guide has been prepared to assist candidates for District Attorney in the upcoming November 4, 2003 election. This Guide summarizes the nomination requirements - requirements each candidate must meet in order to qualify to have his or her name appear on the ballot. This Guide also includes a calendar of filing deadlines and references to other government agencies that regulate or assist candidates.

The best advice the Department of Elections can give to candidates is to FILE EARLY! Candidates qualify to have their names appear on the ballot only if they satisfy ALL requirements imposed by law, even technical requirements. Many of the filing deadlines, including the deadline for filing nomination papers, are set by law and cannot be extended. If a candidate waits until the end of the filing period to file nomination papers, and if the nomination papers contain errors or omissions, the candidate may fail to qualify to have his or her name appear on the ballot. Candidates who submit their nomination papers early usually have an opportunity to identify and correct errors.

Please note that this Guide is intended to answer the most frequently asked questions about the nomination process and is not intended to be all-inclusive. Furthermore, to the extent there is a conflict between this Guide and an applicable law, regulation or rule, the law, regulation or rule applies. For this reason, candidates, committees and campaign staff should not rely solely on this Guide.

There are several important resources available to candidates, and the Department of Elections encourages all candidates to become familiar with and use these resources. The San Francisco Ethics Commission publishes a general candidate guide that explains State and local restrictions and requirements concerning campaign finance and campaign disclosure. In addition to the Ethics Commission, the California Secretary of State (SOS) and Fair Political Practices Commission (FPPC) play a role in administration and enforcement of laws regulating candidates and elections. The FPPC's Manual A for Candidates, which is also available from the Ethics Commission, describes in detail many of the disclosure and filing requirements that apply to candidates. The Ethics Commission, located at 30 Van Ness Avenue, can be reached at (415) 581-2300 and www.sfgov.org/ethics. The SOS can be reached at (916) 653-6814 and www.ss.ca.gov. The FPPC can be reached at (866) 275-3772 and www.fppc.ca.gov.

The Department of Elections is open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays. For additional information please call (415) 554-4375.

Please note that although the Department of Elections is required to determine whether a candidate meets the technical requirements to qualify as a candidate, the Department does not judge whether a candidate is qualified to hold office. The Declaration of Candidacy signed by the candidate states that the candidate meets all statutory and constitutional qualifications for office.

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I. NOVEMBER 4, 2003 GENERAL MUNICIPAL ELECTION
NOMINATION CALENDAR FOR LOCAL CANDIDATES

DATES (and number of days before election day)	EVENT
Cal. Gov't Code § 85200; SF C&GCC § 1.122	DECLARATION OF INTENT TO SOLICIT OR ACCEPT CONTRIBUTIONS. Before a candidate solicits or accepts contributions or loans or uses any personal funds for campaign purposes (excluding filing fees), the candidate must file a Candidate Intention Statement (FPPC Form 501) with the Ethics Commission and a Declaration of Intent to Solicit and Accept Contributions with the Department of Elections.
May 30 – July 24 (E-158 – E-103) CAEC §8106; SF MEC § 230	SIGNATURES IN LIEU OF FILING FEE This is the period during which candidates can pick up and file in-lieu petitions in order to pay for all or part of their filing fee with signatures of qualified San Francisco voters.
July 14 (E-113) CAEC §10220	BEGINNING OF NOMINATION PERIOD This is the first day of the nomination period. Nomination documents cannot be issued before July 14, 2003.
July 31 Gov't Code § 84200	FIRST SEMI-ANNUAL CAMPAIGN FINANCE STATEMENT The last day to file campaign statements for the period ending June 30, 2003.
August 8 (E-88) CAEC §10220	END OF THE NOMINATION PERIOD This is the last day of the nomination period. Nomination papers cannot be returned after August 8, 2003 at 5:00 p.m. <i>Filing Fee (or signatures in lieu of fee) is due upon filing of documents.</i>
August 8 (E-88) SF C&GCC § 1.128	ADOPTION OF VOLUNTARY CAMPAIGN SPENDING LIMITS This is the last day for candidates who agree to comply with the City's voluntary spending limits to file with the Department of Elections a statement of acceptance of the limits.
August 8 (E-88) SF MEC § 250	WITHDRAWAL OF NOMINATION This is the last day nominators may withdraw their nomination of a candidate by filing a signed and sworn statement of withdrawal with the Department of Elections. Nominators must provide 72 hours notice to the candidate of their intent to withdraw.

August 9 – August 18 SF MEC § 590	PUBLIC INSPECTION PERIOD Period of public review for Candidate Qualification Statements, Ballot Designations, and other candidate materials to be printed on the ballot and in the Voter Information Pamphlet.
August 29 (E-67) SF MEC §§ 260, 220(d)	WITHDRAWAL OF CANDIDACY OR CANDIDATE STATEMENT This is the last day candidates may withdraw their candidacy or Candidate Statement by filing a signed and sworn statement of withdrawal with the Department of Elections.
Sept 8 – Oct 21 (E-57 – E-14) CAEC § 8601	STATEMENT OF WRITE-IN CANDIDACY & NOMINATION PAPERS During this period all write-in candidates must file their Statement of Write-In Candidacy and Nomination Papers with the Department of Elections.
Sept 25 (E-40) Cal. Gov't Code § 84200.8(a)	FIRST PRE-ELECTION CAMPAIGN FINANCE STATEMENT Last day for candidates and committees to file campaign statements covering the period ending September 20, 2003. Local candidates and committees file with the Ethics Commission. Reports must be delivered in person or by guaranteed overnight mail.
Oct 19 – Nov 3 (E-16 – E-1)	LATE FILING REQUIREMENTS Candidates and committees must report late contributions and expenditures within 24 hours. For more information, contact the Fair Political Practices Commission at 866-275-3772 or the Ethics Commission at 581-2300.
Oct 20 (E-15) CAEC §2102	LAST DAY TO REGISTER TO VOTE Closing date for registration to vote in this election.
Oct 23 (E-12) Cal. Gov't Code § 84200.8(b)	SECOND PRE-ELECTION CAMPAIGN FINANCE STATEMENT The last day for candidates and committees to file campaign statements covering the period ending October 18, 2003. Reports from local candidates and committees must be delivered to the Ethics Commission in person or by guaranteed overnight mail.
Nov 4 (E)	ELECTION DAY Polls open at 7 am and close at 8 p.m.
Jan 31, 2004 Cal. Gov't Code § 84200	SECOND SEMI-ANNUAL CAMPAIGN FINANCE STATEMENT The last day to file campaign statements for the period ending December 31, 2003.

Code References:

Cal. Gov't Code: California Government Code
 CAEC: California Elections Code
 SF C&GCC San Francisco Campaign & Governmental Conduct Code
 SF MEC San Francisco Municipal Elections Code

II. GENERAL INFORMATION

ELIGIBILITY OF CANDIDATES

No person is eligible to be elected District Attorney unless that person has been licensed to practice law in all courts of the State of California for the five years preceeding the election and is a resident of San Francisco and registered to vote at the time that nomination papers are issued to the person. If the candidate moves any time during the nomination or election process, the candidate must complete a new affidavit of registration. (S.F. Charter §§ 6.100, 13.106)

NOMINATION DOCUMENTS & ADDITIONAL FILING REQUIREMENTS

Candidates may pick up, complete and return the nomination documents between 8:00 a.m. on July 14, 2003 and 5:00 p.m. on August 8, 2003. All nomination documents must be filed by 5:00 p.m. on August 8, 2003. The nomination documents, which are described in greater detail in the following pages, include:

- Declaration of Candidacy & Oath of Office
- Nomination Petition & Appointment of Circulators
- Declaration of Filing Under Legal Name
- Declaration of Candidate Name in Chinese Characters
- Candidate Qualification Statement & Endorsement Letters
- Code of Fair Campaign Practices
- Statement of Economic Interests (FPPC Form 700)

Candidates should note that, in addition to the nomination requirements and documents described in this Guide, candidates may be subject to other filing requirements. Candidates may be subject to other filing requirements before they file or even pick up nomination documents. Documents that a candidate may be required to file prior to filing nomination papers include the following:

- *Declaration of Intention to Solicit or Accept Contributions.*

Before a candidate solicits or accepts contributions or loans or uses any personal funds for campaign purposes (excluding filing fees), the candidate must file a *Candidate Intention Statement* (FPPC Form 501) with the Ethics Commission and a *Declaration of Intent to Solicit and Accept Contributions* with the Department of Elections. (Cal. Gov't Code § 85200; S.F. C&GC Code § 1.122)

- *Statement Indicating Acceptance or Rejection of Voluntary Spending Limits.*

No later than deadline for filing nomination papers, each candidate must file this *Statement* with the Department of Elections. Contact the Ethics Commission for information about San Francisco's voluntary spending limits. (S.F. C&GC Code §1.128)

- *Candidate Bank Account Form.*

Each candidate must establish a bank account at a bank located in San Francisco. Within 10 days of establishing the account, the candidate must provide the account number and branch identification to the Ethics Commission. The *Campaign Contribution Trust Account Form* is available from the Ethics Commission. (Gov't Code § 85201; S.F. C&GC Code § 1.108.)

- *Campaign Finance Disclosure.*

Each candidate who raises \$1,000 or more must file campaign finance disclosure reports with the Ethics Commission. Please contact the Ethics Commission or Fair Political Practices Commission for more information. (Gov't Code § 84000 *et seq.*; S.F. C&GC Code § 1.106.)

In addition, the Department of Elections requires that each candidate sign a form acknowledging receipt of a copy of the San Francisco Campaign Finance Reform Ordinance.

BALLOT ORDER

On August 14, 2003 at 11:00 a.m. the Secretary of State will conduct a random drawing of the alphabet, to determine the order in which candidates names shall appear on the ballot. The Secretary of State will provide the results of the drawing (the “random alphabet”) to the Department of Elections, and the Department will place names of candidates on the ballot in accordance with the random alphabet. (CAEC § 13112.)

INFORMATIONAL MEETINGS FOR CANDIDATES AND CAMPAIGN STAFF

The Department of Elections holds informational “brown bag lunches” for candidates before the nomination period begins. Elections staff present information and answer questions about the nomination documents and filing requirements. Please contact the Department of Elections for information about upcoming brown bag lunches.

**III. FILING FEE &
SIGNATURES IN LIEU OF FILING FEE**

May 30, 2003 - July 24, 2003, 5:00 p.m.

CAEC §§ 104, 8020, 8022, 8040-8066, 8105-8106;
S.F. MEC §§ 230, 330, 840

Filing Fee: \$3,122.00 (2% of the annual salary of \$156,078.00)	Number of Signatures in Lieu to Eliminate the Filing Fee: 6,244
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Each candidate must pay a filing fee of \$3,122.00 at the time the candidate files his or her Nomination Documents. The filing fee is non-refundable.

Candidates may submit petitions containing signatures of registered voters in lieu of paying the filing fee (“in-lieu petitions”). Each signature reduces the filing fee by 50¢. A total of 6,244 signatures is required to eliminate the filing fee. Signatures may be submitted to cover a portion or the entire fee. That portion of the filing fee not covered by the signatures must be paid in full at the time the candidate files the nomination documents.

Candidates may circulate in-lieu petitions starting May 30, 2003. Candidates must submit their petitions no later than July 24, 2003 at 5:00 p.m. Within 10 days after the receipt of a petition, the Department of Elections will notify the candidate of any deficiency in the in-lieu signatures submitted. The candidate may, before the close of the nomination period, submit additional signatures to correct the deficiency. As indicated above, the portion of the filing fee not covered by the signatures must be paid in full at the time the candidate files the nomination documents.

PETITION SIGNER INFORMATION

Any registered San Francisco voter may sign an in-lieu petition for any candidate for whom the voter is eligible to vote. No signer shall sign an in-lieu petition or nomination petition for more than one candidate for the same office. Each signer must personally print his or her name and residence address on the in-lieu petition. Only signers with complete address information are acceptable. Ditto marks are NOT permitted when successive signers have the same address.

PETITION CIRCULATOR INFORMATION

A person who circulates an in-lieu petition must be a registered voter of the City and County of San Francisco. All signatures on an in-lieu petition must be obtained and witnessed by the same circulator. A candidate may circulate and sign his or her own in-lieu petition.

The in-lieu petition contains an *Affidavit of Circulator*. The circulator must complete the affidavit by hand, sign the affidavit and return the petition to the candidate or person designated by the candidate. The circulator may not complete a section of the affidavit and then duplicate the petition. Each affidavit of circulator must contain the circulator’s original signature!

USE OF IN-LIEU PETITION SIGNATURES AS NOMINATION SIGNATURES

Each candidate who submits an in-lieu petition can request, in writing, that the Director of Elections count in-lieu signatures toward the number of signatures required for nomination. If the in-lieu petition contains at least 20 valid signatures, the candidate is *not* required to file a separate nomination petition. The candidate must give the Director of Elections a list of the in-lieu signatures that the candidate wants to use as nomination signatures. If the in-lieu petition does not contain at least 20 valid signatures, the candidate may circulate and file a nomination petition during the nomination period.

NOTE: In-lieu petitions must be returned by 5:00 p.m. on July 24, 2003. Candidates may not use in-lieu petition forms for nomination petitions except as described here.

IV. NOMINATION DOCUMENTS

July 14, 2003 - August 8, 2003, 5:00 p.m.

CAEC §§ 8020, 8028, 8101-8105
SF MEC § 200, et seq.

Minimum Number of Signatures:	20
Maximum Number of Signatures:	30

FORM AND FILING OF NOMINATION PAPERS

Nomination papers are used to establish whether a candidate has qualified to have his or her name appear on the ballot. Candidates must return all nomination papers to the Department of Elections at the same time, no later than 5:00 p.m. on August 8, 2003.

The Department of Elections furnishes all official nomination papers. Candidates may not use forms supplied by any other source. The Department will furnish, free of charge, up to three (3) copies of the official nomination papers to each candidate. The Department will furnish additional copies for \$0.10 per page.

PICK UP AND RETURN OF NOMINATION PAPERS

Candidates must personally pick up and return their nomination papers, or designate a representative to do so. The Department of Elections has a form letter of authorization for this purpose, although candidates may prepare their own letter of authorization. The letter should include: the name of the designated representative; the candidate's name, residence address, and daytime telephone number; and the office sought by the candidate. In addition, the letter should refer to the 5:00 p.m. August 8, 2003 deadline for filing nomination papers, and state that the candidate is aware of and understands the deadline. The candidate must sign the letter and deliver it to the Department of Elections. (CAEC § 8028.)

As a general rule, candidates must execute their nomination documents, including the *Declaration of Candidacy and Oath of Office*, in the Department of Elections. If a candidate submits a letter authorizing another person to pick up and file the candidate's nomination papers, the candidate must execute the *Declaration of Candidacy and Oath of Office* in the presence of a notary public.

A. DECLARATION OF CANDIDACY & OATH OF OFFICE

Each candidate must file a *Declaration of Candidacy* declaring that the candidate meets the legal qualifications for the office sought and that if nominated the candidate would accept the nomination. The *Declaration of Candidacy* includes an *Oath of Office*. Candidates must execute their *Declaration of Candidacy and Oath of Office* in the Department of Elections.

The *Declaration of Candidacy* also indicates how the candidate's name and occupation should appear on the ballot. For information about the candidate's name, see page 9, below. For information about the candidate's occupation, see page 12, below.

B. NOMINATION PETITION

All candidates must submit a nomination petition containing at least 20 valid nominating signatures. The Department of Elections will accept a maximum of 30 signatures and strongly recommends that candidates submit more than 20.

Candidates should verify their nomination signatures prior to filing their nomination petitions. Public terminals are available in the Department of Elections lobby for this purpose. Many voters forget to re-register when they move; a signature is invalid if the signer is registered at an address that is different from the address printed by the signer on the Nomination Petition. Please refer to the section entitled *Filing Fee & Signatures In Lieu Of Filing Fee* (page 7) for information about qualifications of signers and circulators, which applies to Nomination Petitions as well as to in lieu petitions.

C. DECLARATION OF FILING UNDER LEGAL NAME CAEC §§13104, 13106-13107; SF MEC § 210

The candidate's name, as provided by the candidate on the *Declaration of Candidacy*, is the name that will appear on the ballot. It cannot be changed after the nomination period is closed. The candidate is required to use his or her legal name on the *Declaration of Candidacy*, and to file a *Declaration of Filing Under Legal Name*.

A candidate's legal name is the name given at birth or established by marriage, general usage or habit, or by decree of any court of competent jurisdiction. A candidate's legal name may include a combination of initials, full names, or individual letters or numerals. The candidate may:

- Use only the initials of the given name with the last name.
- Use a nickname, provided the given name or initials are shown.
- Use a shortened familiar form of the given name (example: Bill for William)
- Omit the middle name.

A candidate may not use titles such as "Miss", "Mrs.", "Dr.", "Col.", "Rev."

If a candidate changes his or her name within one year of an election, the candidate may not file a Declaration of Candidacy under the new name unless the change was made by marriage or by court order.

D. DECLARATION OF NAME IN CHINESE CHARACTERS SF MEC § 401

Any candidate may submit a translated or transliterated Chinese name to the Director of Elections. If a candidate declines to submit a translated or transliterated Chinese name, the Director of Elections will have a translator prepare a translated or transliterated name for the candidate. If any person challenges a Chinese name submitted by a candidate, the Director may ask for supporting documentation from the candidate that demonstrates that the submitted name is the name by which the candidate is consistently identified in the Chinese community and press. The Director shall make the final determination whether to accept the submitted name or have a translator prepare a translated or transliterated name for the candidate.

In making the determination whether to accept the submitted name or the name prepared by the translator, the Director may consider: (1) any information submitted by the candidate regarding whether the candidate has an established Chinese name; (2) any information regarding how the

Chinese community refers to the candidate at community meetings and events and in the Chinese press; (3) any information regarding how the candidate is referred to in campaign materials printed in Chinese; (4) whether a proposed translation or transliteration has another meaning in the Chinese language; and (5) any other information the Director deems relevant in order to prevent voter confusion and to allow for effective participation by the Chinese community in the electoral process.

Candidates who wish to submit a translated or transliterated Chinese name must do so by the close of the nominations period – 5:00 p.m. on Friday, August 8, 2003 (E-88).

Starting at noon on Monday, August 25, 2003, the translated or transliterated Chinese names for all candidates will be available for public inspection. Any person may file a written challenge with the Department of Elections concerning a Chinese name. Written challenges must be received no later than noon on Tuesday, August 26, 2003.

The Director of Elections shall make a final determination concerning translated or transliterated names no later than noon on Friday, August 29, 2003). The Director's determination shall be final.

E. CANDIDATE QUALIFICATION STATEMENT

Candidates may, but are not required to submit for publication in the Voter Information Pamphlet a statement of their qualifications to hold office. (CAEC §§ 13307, 13312-13313, 18351; SF MEC § 220.) The Department of Elections will translate candidate qualification statements into Spanish and Chinese in the Voter Information Pamphlets.

Although statements must be filed by 5:00 p.m. candidate may withdraw, but not change, the candidate's qualification statement until August 29, 2003 at 5:00 p.m. (the 67th day prior to the election).

1. Contents

The *Candidate Qualification Statement* may contain the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications as expressed by the candidate. The occupation stated in the *Candidate Qualification Statement* is not subject to the same restrictions as the ballot designation.

The candidate's qualification statement shall not include the party affiliation of the candidate, or membership or activity in partisan political organizations. The statement shall not refer to other candidates.

2. Nominators & Letters of Endorsement or Support

If a candidate wishes to include in his or her *Candidate Qualification Statement* the names of nominators or endorsers, the names and any identification will be counted toward the 200-word limit. If the candidate includes names of people who have not signed the candidate's Nomination Petition, the candidate must file a signed letter of endorsement from each individual whose name is included.

A *Candidate Qualification Statement* which includes a statement that an organization or entity supports the candidate must be accompanied by a statement of confirmation signed by an officer or authorized representative of the organization or entity.

3. Format

Each *Candidate Qualification Statement* must conform to the following requirements:

- All *Candidate Qualification Statements* must be typed. Handwritten statements invite misinterpretation and errors. *Statements* are printed exactly as submitted.
- *Candidate Qualification Statements* must be proofread prior to filing. No corrections are permitted after the filing deadline.
- *Candidate Qualification Statements* must not include underlining, bold or italicized type, or unusual spacing or capitalization. If a candidate submits a Statement that includes such type, the Department of Elections will type-set the Statement without any special emphasis placed on words or phrases.
- *Candidate Qualification Statements* must not include any party affiliation.
- *Candidate Qualification Statements* must not include membership or activity in partisan political organizations.
- *Candidate Qualification Statements* must not refer to any other candidates.

4. Public Examination Period

Candidate qualification statements are not available for public review until after the close of the nomination period. After the deadline for filing nomination papers, anyone may examine and purchase copies of the candidate qualification statements.

During a 10-calendar-day period starting the day after the close of nominations, any San Francisco voter may seek a writ of mandate or an injunction requiring that material in a candidate qualification statement be amended or deleted. The voter must demonstrate by clear and convincing evidence that the material is false, misleading or inconsistent with the requirements of the California Elections Code, and that action by the court to correct or remove the material will not substantially interfere with printing or distribution of the Voter Information Pamphlet or Sample Ballot.

Candidates may be subject to liability for false, slanderous or libelous statements submitted for publication in the Voter Information Pamphlet. Any candidate who knowingly makes a false statement of material fact in his or her candidate statement, with the intent to mislead the voters in connection with his or her campaign for nomination or election to office is punishable by a fine of up to \$1,000.

5. Word Limit & Rules for Counting Words

The *Candidate Qualification Statement* may not exceed 200 words. The Department of Elections uses the following guidelines for counting words, and the decision of the Director of Elections concerning word count is final. (CAEC § 9)

	Number of Words
Title, signatures	N/A
Punctuation	N/A
Individual words (listed in a common dictionary) Examples: "I", "a", "the", "and"	one
Abbreviations/Acronyms Examples: SFSU, PTA, U.S.M.C., S.F.P.D.	one
Geographical names Examples: San Francisco, City and County of San Francisco	one
Numbers/Numerical combinations: Digits (1, 10, 100, etc.) Spelled out (one, ten, one hundred, etc.) Percentages, fractions (50%, 1/2, etc.)	one one for each word one
Number or letter used to identify a portion of text Examples: (1), (a)	one
Dates: All digits (04/10/99) Words and digits (April 10, 1999)	one two
Characters used in place of a word or number Examples: &, #	one
Hyphenated words (listed in a common dictionary) Example: mother-in-law	one
Phone number, Internet addresses	one

F. CODE OF FAIR CAMPAIGN PRACTICES

The State Legislature created a voluntary "Code of Fair Campaign Practices" to encourage candidates for public office to follow basic principles of honesty and fair play. The Department of Elections provides candidates with the form on which to subscribe to the "Code of Fair Campaign Practices." Subscription to the Code is voluntary. Candidates must file the completed forms with the Department of Elections when filing all other nomination papers. (CAEC §§ 20400-20444.)

G. STATEMENT OF ECONOMIC INTERESTS - FORM 700

Each candidate must file a *Statement of Economic Interests* (Form 700) with the Department of Elections disclosing investments, interests in real property, and any income received during the immediately preceding 12 months. The Department of Elections provides the Form 700 to candidates in the nomination packet. Candidates with questions regarding the Form 700 should contact the Fair Political Practices Commission toll free at (866) ASK-FPPC. (Gov't Code § 87201.)

V. CANDIDATE BALLOT DESIGNATIONS

CAEC § 13107

Each candidate may request that his or her occupation appear below his or her name on the ballot. Unless otherwise specified in the San Francisco Municipal Elections Code or in this Guide, the submission and form of ballot designations are governed by California Elections Code section 13107 and the implementing regulations, rules and guidelines issued by the California Secretary of State. A copy of the most recent guidelines issued by the Secretary of State is included in the Appendix to this Guide.

If a candidate does not want a designation to appear on the ballot under his or her name, the candidate must write the word "none" on the ballot designation form and sign the form. The word "none" will *not* appear on the ballot.

No candidate may change his or her designation after the deadline for filing nomination documents, except as specifically requested by the Director of Elections as described below.

ACCEPTABLE DESIGNATIONS

Each candidate may choose ONE of the following types of designations (or no designation):

- Office Title

The office title is the word or words designating the office (federal, state, county, city or district) which the candidate holds at the time of filing nomination papers *and to which the candidate was elected by a vote of the people*. This title may not include political party affiliation.

Examples: Mayor, Supervisor, Sheriff are acceptable
Democratic Committee Member is not acceptable

- Incumbent

The word "Incumbent" may be used if the candidate is a candidate for the same office which he or she holds at the time of filing nomination papers, *and to which the candidate was elected by a vote of the people*. The word Incumbent must stand alone and cannot be used with any other designation.

- Appointed Incumbent or Appointed + Office Title

The words "Appointed Incumbent" or the word "Appointed" and the title of the office may be used if the candidate holds an office by appointment, and is filing as a candidate for election to the same office. The appointed officeholder may not use the unmodified word Incumbent.

- Principal Professions, Vocations or Occupations in up to Three Words

The candidate may use up to three words to describe the principal professions, vocations or occupations which he or she currently holds, or which the candidate held during the preceding 12 months or preceding calendar year.

If a candidate has more than one principal profession, vocation or occupation, the candidate may use slashes or dashes to separate them.

Example: Attorney/Accountant

Candidates may not use designations which include the following:

- Evaluations such as outstanding, leading, expert, virtuous or eminent.
- Abbreviations of the word “retired.” A candidate may include this word only if it is placed in front of the word it modifies.
- Prefixes which indicate a prior status, such as "former" or "ex."
- Avocations which convey a philosophy or refer to a status rather than an profession, vocation or occupation, such as "taxpayer," "activist," "pro" and "anti."
- Proper names of companies, institutions or organizations. Proper names must be replaced with generic terms (for example, “computer company executive” is acceptable, but “IBM executive” is not). .
- References to a political party.
- References to unlawful activities.
- References to racial, religious or ethnic groups.

Acceptable Ballot Designations	Not Acceptable Ballot Designations
Teacher	Consultant
Plumber	Taxpayer
homemaker	Philanthropist
Retail Salesperson	Neighborhood Community Leader
Community Volunteer (so long as volunteer activities are your principal occupation)	Community Organizer

REVIEW OF BALLOT DESIGNATIONS

Ballot designations are not available for public review until after the close of the nomination period. After the deadline for filing nomination papers, anyone may examine the nomination papers, including the ballot designations. During a 10-calendar-day period starting the day after the close of nominations, any person may submit a written challenge to the Director of Elections stating that a candidate’s ballot designation does not conform to the applicable requirements. Based on a written challenge, or on his or her own initiative, the Director require that the candidate substantiate or verify the truth and accuracy of his or her ballot designation.

If the Director of Elections determines that a ballot designation is not authorized by law, the Director will notify the candidate by either telephone or facsimile if possible, and by registered mail with a return receipt requested. The candidate must provide an alternative designation within three days from the date of receipt of the notice. If the candidate fails to provide an alternative designation within this time, the candidate's name will appear on the ballot without any designation. No candidate designation may be changed after the deadline for filing nomination papers except as described in this section.

LEGAL CHALLENGES TO BALLOT DESIGNATIONS

During the 10-calendar-day period starting the day after the close of nominations, any San Francisco voter may seek a writ of mandate or an injunction requiring that a candidate's ballot designation be amended or deleted. The voter must demonstrate by clear and convincing evidence that the designation is false, misleading or inconsistent with the requirements of the California Elections Code, and that action by the court to correct or remove the designation will not substantially interfere with printing or distribution of San Francisco's Voter Information Pamphlet or Sample Ballot.

VI. WRITE-IN CANDIDATES

September 8, 2003 - October 21, 2003, 5:00 p.m.

Cal. Const. Art. XX, § 3; CAEC §§ 8600-8605, 15351

Any person who wants to be a write-in candidate must file between September 8, 2003 and October 21, 2003:

- A statement of write-in candidacy including:
 - the candidate's name;
 - the candidate's residence address;
 - the candidate's declaration stating that he or she is a write-in candidate;
 - the title of office sought; and
 - the election date.
- A signed *Oath or Affirmation of Allegiance*.
- The required number of nomination signatures on nomination papers for that office, along with the circulator's affidavit. Signers and circulator must meet the same qualifications described above for regular nomination papers.

There is no filing fee or other charge for write-in candidates.

VII. WITHDRAWAL OF CANDIDACY

S.F. MEC §§ 240, 250

A candidate may withdraw his or her candidacy by filing a signed and sworn statement of withdrawal with the Department of Elections by August 29, 2003 at 5:00 p.m. (at least 67 days before the election).

VIII. CAMPAIGN FINANCE & CAMPAIGN DISCLOSURE

State and local law require that candidates for City elective office file campaign finance reports disclosing information about campaign contributions and expenditures. The San Francisco Ethics Commission publishes a general candidate guide that explains these restrictions and requirements. The Ethics Commission material includes a checklist for candidates, and answers many frequently asked questions about contribution limits, voluntary spending limits, public financing of election campaigns, campaign finance disclosure forms, and disclosure deadlines. The Ethics Commission guides address:

Getting Started:

- Declaring Intent To Be a Candidate and To Solicit and Accept Contributions
- Establishing a Campaign Bank Account
- Disclosing Financial Interests
- Deciding Whether to Comply With San Francisco's Voluntary Spending Limits

Basic Campaign Reporting Requirements:

- Record Keeping
- Filing a Statement of Organization
- Filing Semi-Annual Campaign Statements
- Filing Pre-Election Statements
- Filing Dates for the November 4, 2003 General Election
- Electronic Filing of Campaign Statements
- Special Rules For Candidates Who *Do Not* Comply With Voluntary Spending Limits
- Fines

Limitations on Accepting Contributions:

- Contribution Limits
- Cash Contributions
- Loans
- Aggregation of Contributions
- Candidate Coordination with Committees that Make Independent Expenditures
- Prohibition on Contributions from Contractors Doing Business With San Francisco
- Candidates Who Are Or Have Been Public Officials
- Contributions Made at the Behest of Officials

Candidate Audits

Regulation of Campaign Advertising and Mailers

- Prohibition Against False Endorsements
- Mass mailings
- Recorded telephone calls

These materials are available from the Ethics Commission and on its web site. Specific questions regarding these restrictions and requirements should be directed to the San Francisco Ethics Commission at (415) 581-2300 or www.sfgov.org/ethics.

IX. CAMPAIGN LITERATURE & POLITICAL ADVERTISING

Gov't Code §§ 82041.5, 84305; CAEC § 20008

MASS MAILINGS

A "mass mailing" is two hundred (200) or more identical or nearly identical pieces of mail. When a candidate sends a mass mailing, the candidate must include on the outside of each piece of mail the words "paid for by" followed by the candidate's name, street address, and City. This information must appear in no less than 6-point type. In addition, a copy of each mass mailing and an itemized disclosure statement detailing the separate costs associated with the mass mailing must be filed with the Ethics Commission. No mass mailing may be sent at public expense. Please contact the Ethics Commission at 581-2300 for more information on the regulation of mass mailings.

PAID POLITICAL ADVERTISEMENTS - NEWSPAPERS

Any paid political advertisement which refers to an election or a candidate for City elective office and which is published in or distributed with a newspaper must include the words "Paid Political Advertisement." These words must appear in type that is at least half as large as the type used in the advertisement or in 10-point roman type, whichever is larger. As used in this section, "Paid Political Advertisement" shall mean published statements paid by advertisers for purposes of supporting or defeating any person who has filed for an elective office.

CAMPAIGN LITERATURE CONTAINING POLLING PLACE OF VOTER

If a campaign distributes or mails campaign literature with the location of a voter's polling place the campaign must include a statement indicating that the information is accurate only up to the date it was purchased from the Department of Elections. In addition, the candidate must state that polling place changes can occur up to the last few days before an election. The Department of Elections notifies voters if their polling place changes after mailing of the Voter Information Pamphlet.

X. OUTDOOR POLITICAL ADVERTISING

S.F. PWC, Art. 5.6, §§ 184.56-185.68, and Art. 5.7, §§ 184.69-184.78

Both State and local law regulate the posting of political signs and distribution of handbills on public property. The Department of Elections gives each candidate a copy of San Francisco's Sign Ordinance and a letter from the California Department of Transportation concerning the California Outdoor Advertising Act. For more information about posting political signs on public property, please contact the San Francisco Department of Public Works or the California Department of Transportation.

The State Outdoor Advertising Act permits the posting of "temporary political signs" in designated areas. The Act does not permit posting such signs within the right of way of any highway or within 660 feet of the edge of and visible from the right of way of a landscaped freeway. Temporary political signs are signs that:

- Encourage a vote for or against a candidate or measure in a scheduled election;
- Are posted no sooner than 90 days prior to the scheduled election and are removed within 10 days after the election;
- Are no larger than 32 square feet; and
- Are posted after the person responsible for removing the signs has filed with the California Department of Transportation a "Statement of Responsibility" certifying his or her responsibility for removing the signs.

Local law requires that a candidate pay a fee or security deposit for the posting in commercial areas of signs larger than 11 inches in height, although this fee may be waived under limited circumstances.

The following is a list of common violations of the laws regulating outdoor political advertising. Candidates are strongly advised to become familiar with these laws to avoid such violations.

- Posting political signs on traffic signals
- Posting overly wide signs on utility poles in non-commercial areas
- Failure to remove signs after election day
- Failure to print a posting date on signs
- Failure to comply with specific rules that apply in commercial areas and different, specific rules that apply in non-commercial areas
- Failure to properly attach signs to utility or lamp poles
- Distribution of handbills on private property when a "No Handbills" or similar sign is posted
- Failure to include a registration number on handbills

XI. ELECTION DAY & ELECTION NIGHT

ELECTION DAY

The polls are open from 7:00 a.m. to 8:00 p.m. Campaigning and electioneering are NOT allowed within 100 feet of a polling place during voting hours. Prohibited electioneering includes circulating any petition, soliciting votes, and displaying campaign signs.

San Francisco uses the optical scan voting system.

ELECTION NIGHT

Although the polls officially close at 8:00 p.m., all voters who are at the polling place waiting to vote at 8:00 p.m. are permitted to do so, even if they cast their ballots after 8:00 p.m. After the voting is over, the poll workers close down the polling place. The Sheriff is responsible for transporting voted ballots and electronic devices used to record votes ("memory packs" from the optical scan system) from the polling place to the counting centers. The memory packs are loaded into the vote count system.

After 8:00 p.m., candidates, members of the media, and the public are invited to observe the vote tabulation from the "Public Viewing Area" in the Department of Elections. Please call 554-4375 to sign up for an observer's tour on election night.

ELECTION RESULTS

Election results are recorded and available by phone to anyone wishing to monitor the returns. If you wish to obtain election results on election night (or the day after), please call (415) 554-4375. Results are also available on the Department of Elections web page at: www.sfgov.org/election.

Absentee votes will be reported first, shortly after 8:00 p.m.. The precinct results will be reported starting at approximately 9:00 p.m., and continuing throughout the night.

OFFICIAL CANVASS OF THE RETURNS

The Department of Elections office will conduct the official canvass of the returns starting no later than November 6, 2003. The Department will complete the official canvass within 28 days, and submit a certified statement of the results to the California Secretary of State and San Francisco Board of Supervisors.