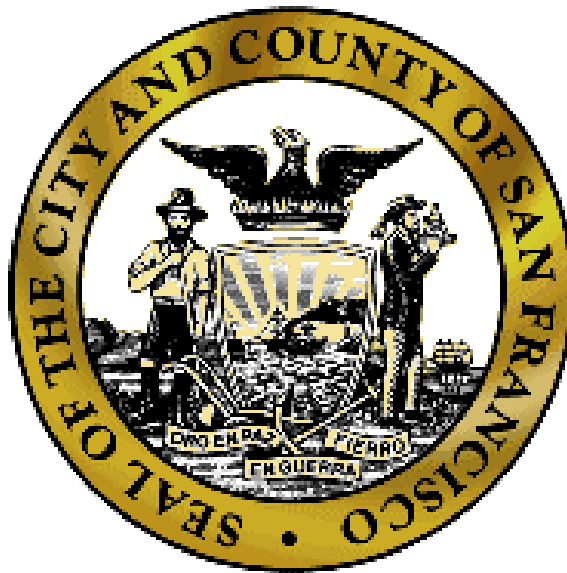


# CANDIDATE GUIDE

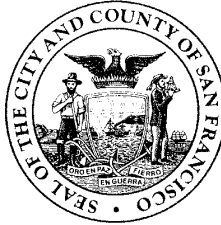


**JUNE 8, 2010**  
**CONSOLIDATED STATEWIDE DIRECT PRIMARY ELECTION**

*AND*

**NOVEMBER 2, 2010**  
**CONSOLIDATED STATEWIDE GENERAL ELECTION**

SAN FRANCISCO DEPARTMENT OF ELECTIONS  
**1 Dr. Carlton B. Goodlett Place, Room 48, San Francisco, CA 94102**  
(415) 554-4375 (voice); (415) 554-7344 (fax); (415) 554-4386 (TTY)  
[www.sfelections.org](http://www.sfelections.org)



This Candidate Guide has been prepared by the San Francisco Department of Elections to assist candidates for federal, state legislative and judicial offices to understand the forms, fees, deadline dates and laws pertaining to the upcoming Primary and General 2010 Elections. This guide includes a calendar of events and summary of provisions and filing requirements; however, it is not all encompassing and is not intended for use as the authority on the nomination process. It merely summarizes the major provisions related to candidates running for the above-mentioned offices in San Francisco. 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. References are to the California Elections Code (CAEC).

***The Department of Elections strongly recommends that candidates file all required forms in advance of the legal deadlines. 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 not have an opportunity to identify and correct the errors or omissions before the deadline. As a result, 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.***

There are several important resources available to candidates, and the Department of Elections encourages all candidates to become familiar with and use these resources. 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 1 for state candidates and Manual 2 for county candidates, describes in detail many of the disclosure and filing requirements that apply to candidates. The Ethics Commission who handle city and county candidate campaign reporting requirements are located at 25 Van Ness Avenue, Suite 220, can be reached at (415) 252-3100 and [www.sfgov.org/ethics](http://www.sfgov.org/ethics). The SOS can be reached at (916) 653-6814 and [www.ss.ca.gov](http://www.ss.ca.gov). The FPPC can be reached at (866) 275-3772 and [www.fppc.ca.gov](http://www.fppc.ca.gov).

The Department of Elections is open from 8:00 a.m. to 5:00 p.m., Monday through Friday, to assist you with any issues you might have. You may visit us in City Hall Rm. 48, on the web at [www.sfelections.org](http://www.sfelections.org), or you may call us at (415) 554-4375.

# TABLE OF CONTENTS

	Page
<b>JUNE 8, 2010 PRIMARY ELECTION CALENDAR .....</b>	<b>4</b>
<b>NOVEMBER 2, 2010 GENERAL ELECTION CALENDAR .....</b>	<b>13</b>
<b>OFFICES ON THE JUNE 8, 2010 BALLOT .....</b>	<b>18</b>
• Partisan .....	18
• Non-partisan .....	20
<b>RESIDENCE AND DOMICILE .....</b>	<b>22</b>
<b>INCOMPATIBILITY OF OFFICES .....</b>	<b>24</b>
<b>CANDIDATE CHECKLIST – JUNE 8, 2010 .....</b>	<b>25</b>
<b>FILING FEES .....</b>	<b>26</b>
• Filing Fee, In-Lieu Signatures, Nomination Sigs. Chart .....	27
• Filing Fee, In-Lieu Signatures, Nomination Sigs. for Superior Court .....	27
• Filing Fee, In-Lieu Signatures, Nomination Sigs. Chart – Minority Parties ....	28
<b>CANDIDATE FILING DOCUMENTS .....</b>	<b>29</b>
• Signatures In-Lieu Of Filing Fee Petition .....	29
• Signatures-In-Lieu Toward Nomination Signatures .....	30
a) Guidelines for Gathering Signatures .....	31
• Declaration Of Intention – Judicial .....	33
• Declaration Of Candidacy .....	34
• Ballot Designation - Worksheet .....	34
a) Ballot Designation Regulations .....	35
b) Name on Ballot .....	35
c) Ballot Designation – Legislative Requirements .....	35
d) Titles or Degrees Prohibited .....	36
e) Unacceptable Designations .....	36
f) Rejected Ballot Designations .....	37
g) Ballot Designation in Both Primary and General Elections .....	37
h) Format of Name and Ballot Designation .....	37
i) No Ballot Designation .....	37
• Nomination Paper .....	38
• Candidate's Statement Of Qualifications .....	39
a) Cost of Printing Candidates Statements .....	40
b) Candidate Statement for Judicial Office .....	40
c) Candidate Statement for Legislative Office - Prop 34 .....	41
d) Formatting Rules .....	41
e) Rules for Counting Words .....	42
f) Overlapping Districts .....	43
• Code Of Fair Campaign Practices .....	44
• Candidate Intention and Campaign Disclosure Forms .....	44
• Statement Of Economic Interests (Form 700) .....	45
<b>MISCELLANEOUS CANDIDATE FILING DOCUMENTS &amp; OTHER RESOURCES .....</b>	<b>46</b>
• Authorization Form .....	46
• Authorization of Endorsements to Candidate Statement of Qualifications .....	46
• Acknowledgement of Requirements for Petition Signatures .....	46
• Chinese Characters of Name .....	46
• Local Campaign Sign Posting Information .....	46
• State Campaign Sign Posting Information .....	46

<b>WRITE-IN CANDIDACY .....</b>	<b>47</b>
• Judicial Write-In Campaign .....	47
• Offices Omitted From the Ballot .....	48
• Additional Requirements for Partisan Office .....	48
<b>INDEPENDENT CANDIDATES .....</b>	<b>49</b>
• Filing Fee or Signatures-In-Lieu .....	50
• Nomination Signatures .....	51
<b>CALIFORNIA'S PRIMARY SYSTEM .....</b>	<b>52</b>
<b>CAMPAIGN PRACTICES .....</b>	<b>53</b>
• Use Of Public Resources .....	53
• Mass Mailing .....	54
• Slate Mailers .....	54
• Nominations .....	56
• Campaign Literature .....	56
• Misrepresentation By Candidates .....	57
• Deceptive Online Activities .....	57
• Vandalism At Polling Places .....	58
• Polling Place Information .....	58
• Political Advertising .....	58
• Political Signs .....	59
<b>CALIFORNIA CONTRIBUTION LIMITS .....</b>	<b>60</b>
• Expenditure Ceiling .....	60
<b>CAMPAIGN DISCLOSURE REQUIREMENTS .....</b>	<b>63</b>
• Campaign Disclosure Information Manuals .....	63
• Candidate Intention Statement (501) .....	63
• Campaign Disclosure Forms .....	64
• Independent Expenditure Committees / Slate Mailer Organizations .....	66
• Campaign Disclosures For Federal Candidates .....	67
• Multiple Committee Filing Requirements .....	67
<b>FPPC JUNE ELECTION FILING SCHEDULE JUDICIAL CANDIDATES .....</b>	<b>68</b>
<b>FPPC JUNE ELECTION FILING SCHEDULE STATE CANDIDATES .....</b>	<b>69</b>
<b>FPPC NOVEMBER ELECTION FILING SCHEDULE JUDICIAL CANDIDATES .....</b>	<b>71</b>
<b>FPPC NOVEMBER ELECTION FILING SCHEDULE STATE CANDIDATES .....</b>	<b>72</b>
<b>FAIR POLITICAL PRACTICES COMMISSION .....</b>	<b>74</b>
<b>CAMPAIGN FINANCE PROHIBITIONS .....</b>	<b>76</b>
<b>CAMPAIGN DISCLOSURE REQUIREMENTS OFTEN OVERLOOKED .....</b>	<b>77</b>
<b>ELECTIONEERING ON ELECTION DAY .....</b>	<b>79</b>
<b>ELECTION NIGHT RESULTS .....</b>	<b>80</b>
<b>THE CANVASS .....</b>	<b>80</b>
<b>FREQUENTLY ASKED QUESTIONS .....</b>	<b>81</b>
<b>STATE &amp; FEDERAL CONTACT INFORMATION .....</b>	<b>82</b>

# JUNE 8, 2010

## PRIMARY ELECTION CALENDAR

All code sections are the California Elections Code, unless otherwise noted.

Following the filing period dates, the number of days prior to or after the election is provided (E = Election Day, followed by the number of days prior to (-) or after (+) Election Day.)

If there is an asterisk by the **E-DATE**, the deadline falls on a weekend or holiday and, in most cases, has been moved to the next business day.

<p><b>Jan. 4, - Feb. 10 @ 5:00 p.m. (E-158* to E-118)</b></p>	<p><b>Signature-In-Lieu of Filing Fee – Judicial Candidates</b></p> <p>Between these dates judicial candidates may obtain signature-in-lieu forms from the county elections official or the Secretary of State for circulating petitions to secure signatures in-lieu of paying all or part of the filing fee. Signatures may also be applied to the nomination signature requirements for office. CAEC §§ 8061, 8105, 8106</p> <p>The Signature-in-Lieu Petition must be filed by the last day to file the Declaration of Intention since the filing fee must be satisfied by that day. The Department of Elections will notify the candidate of any deficiency within 10 days of filing. The candidate may then submit by March 12, 2010 additional signatures to replace those that were rejected or pay the balance of the fee. CAEC § 8106(b) (3)</p>
<p><b>Jan. 4, - Feb. 25 @ 5:00 p.m. (E-158* to E-103)</b></p>	<p><b>Signature-in-Lieu of Filing Fee – All Partisan Candidates</b></p> <p>Between these dates, candidates for the offices of Legislative, U.S. Senate, Congress including Superintendent of Public Instruction may obtain Signature-in-Lieu forms from the county elections official or the Secretary of State for circulating petitions to secure signatures in-lieu of paying all or part of the filing fee. Signatures may also be applied to the nomination signature requirements for office. CAEC §§ 8061, 8106</p> <p>The Signature-in-Lieu Petition must be filed by the last day. The Elections Department will notify the candidate of any deficiency within 10 days of filing. The candidate may then submit by March 12, 2010 additional signatures to replace those that were rejected or pay the balance of the fee.</p>
<p><b>Jan. 18 (E-141)</b></p>	<p><b>Martin Luther King Jr. Birthday Holiday – Office Closed</b></p>
<p><b>Jan. 24 (E-135*)</b></p>	<p><b>Parties to Adopt Rule for Unaffiliated Voters</b></p> <p>Last day for a political party to notify the Secretary of State in writing that it has adopted a party rule that authorizes a voter who is not affiliated with a qualified political party to vote the ballot of that political party at the June 2010 California Primary Election. CAEC § 13102(c)</p>

<b>Feb. 1 – Feb. 10 (E-127 to E-118)</b>	<b>Declaration of Intention – Judicial Candidates</b>  Between these dates judicial candidates file their Declaration of Intention with the Department of Elections. Candidates must pay the entire filing fee at this time, represented by money, signatures or any prorated combination of money and signatures. <b>The filing fee is non-refundable.</b>  CAEC § 8023
<b>Feb. 3 (E-125)</b>	<b>Secretary of State to Prepare Notice Designating Qualified Political Parties</b>  At least 125 days before the direct primary election, the Secretary of State shall prepare and transmit to each county election official a notice designating the political parties qualified to participate in the primary.  CAEC § 12103
<b>Feb. 1 (E-128*)</b>	<b>Semi-Annual Campaign Statement – FPPC Form 460</b>  Last day to file semiannual campaign statements for all ballot measure committees, all candidates and their controlled committees, and all committees primarily formed to support or oppose such candidates or measures being voted upon in the primary.  E-Filers may have different reporting dates. For more information, visit the Secretary of State website at <a href="http://www.ss.ca.gov">www.ss.ca.gov</a> .  CAEC §§ 84200, 84218
<b>Feb. 1 (E-128*)</b>	<b>Supplemental Independent Expenditure Reports – FPPC Form 496/497</b>  Last day to filed supplemental independent expenditure reports for committees making independent expenditures of \$1,000 or more in a calendar year to support or oppose a candidate or measure being voted upon in the primary. Independent expenditure reports are filed at the same time and in the same places as would be required if the filer were primarily formed to support or oppose the candidate, measure, or measure qualification affected by the independent expenditure.  E-Filers may have different reporting dates. For more information, visit the Secretary of State website at <a href="http://www.ss.ca.gov">www.ss.ca.gov</a> .  CAEC §§ 82031, 84203.5
<b>Feb. 1 (E-128*) suggested date</b>	<b>County Central Committees – Republican &amp; Democratic, and American Independent Parties</b>  By this date, the county elections official shall compute the number of members of the Democratic, Republican and American Independent party's county central committee to be elected in each supervisorial district.  CAEC §§ 7226, 7421, 7650
<b>Feb. 11 – Feb. 16 (E-117 to E-113*)</b>	<b>Declaration of Intention — Extension Period Judicial Candidates</b>  If the incumbent has not filed a Declaration of Intention to succeed to the same office, then any other person, other than the incumbent, may file such a declaration during the extension period.  CAEC § 8023(b)
<b>Feb. 15* (E-113)</b>	<b>Washington's Birthday Holiday – Office Closed</b>

<p><b>Feb. 16 (E-115*)</b></p>	<p><b>County Central Committees/County Council – Green, Libertarian and Peace &amp; Freedom</b></p> <p>The last day for Secretary of State to compute the number of members of the central committees/county council to be elected in each county and to mail certificates to that effect to each county elections official and to the chairpersons of record of each state central committee.</p> <p>CAEC § 7771</p>
<p><b>Feb. 16 – Mar. 12 (E-113* to E-88)</b></p>	<p><b>Declarations of Candidacy &amp; Nomination Papers – All Candidates</b></p> <p>Between these dates, candidates must file their Declaration of Candidacy and Nomination Papers. All candidates, except those for judicial offices who satisfied their filing fee requirements when they filed their Declaration of Intention, must pay the entire filing fee at the time they pick up their Nomination Papers. The fee may be represented by money, signatures, or any prorated combination of money and signatures. <b>The filing fee is non-refundable.</b></p> <p>Candidates may authorize in writing that their in-lieu signatures count toward the number of signatures needed for their Nomination Paper pursuant to CAEC § 8061.</p> <p>CAEC §§ 8020, 8041, 8061, 8100, 8105, 8106</p>
<p><b>Feb. 16 – Mar. 12 (E-113* to E-88) plus extension period, if any</b></p>	<p><b>No Candidate May Withdraw</b></p> <p>No candidate whose Declaration of Candidacy has been filed for any primary election may withdraw as a candidate at that primary election.</p> <p>CAEC § 8800</p>
<p><b>Feb. 16 – Mar. 12 (E-113* to E-88)</b></p>	<p><b>Candidate’s Statement of Qualifications – Judicial, State Legislative and Congressional Candidates</b></p> <p>Between these dates, judicial, state legislative and congressional candidates, may prepare a statement of qualifications to be included in the Voter’s Information Pamphlet. State Legislative offices who qualify under Proposition 34 may prepare a statement not to exceed 250 words. Congressional candidate statements are also limited to 250 words and judicial candidate statements are limited to 200 words. The statement shall be filed and paid for at the time the Declaration of Candidacy is filed. The statement may not be changed, but may be withdrawn up until 5 p.m. on March 15<sup>th</sup> if the contest closes on the 12<sup>th</sup> or March 18<sup>th</sup> if the contest closes on 17<sup>th</sup> after the extension period.</p> <p>CAEC §§ 13307; 13307.5; 13308; Gov. Code §85601</p>
<p><b>Feb. 16 – Mar. 12 (E-113* to E-88)</b></p>	<p><b>Statement of Economic Interests – All Candidates EXCEPT U.S. Senate &amp; Congress</b></p> <p>Between these dates, candidates filing their Declaration of Candidacy for the June primary must also file statements of economic interests disclosing their investments, interests in real property, and any income received during the preceding 12 months. The statement is not required if the candidate has filed such a statement within the past 60 days for the same jurisdiction.</p> <p>CAEC §§ 87200, 87201, 87500</p>

<p><b>Feb. 25 (E-103)</b></p>	<p><b>Signature In-Lieu of Filing Fee – All Partisan Candidates</b></p> <p>Last day for partisan candidates to turn in their petitions to the county elections official of the county in which the petition signers reside and are registered to vote. Within 10 days after receipt of a petition, the county elections official shall notify the candidate of any deficiency. Such candidates may, before the close of the nomination period either submit a supplemental petition or pay a prorated fee to cover the deficiency. Nomination closes for partisan candidates on March 12, 2010 and for independent candidates on August 13, 2010.</p> <p>CAEC § 8105, 8106(b)(3)</p>
<p><b>Mar. 8 (E-93*)</b></p>	<p><b>Signature In-Lieu of Filing Fee – All Partisan Candidates - Last Day to Determine Sufficiency</b></p> <p>Last day for the county elections official to determine the sufficiency of in lieu signatures submitted by candidates for federal and county offices. Within 10 days after receipt of a petition, the county elections official shall notify the candidate of any deficiency. Such candidates may, before the close of the nomination period on March 12 either submit a supplemental petition or pay a prorated fee to cover the deficiency.</p> <p>CAEC § 8105, 8106(b)(3)</p>
<p><b>Mar. 13 – Mar. 17 (E-87 to E-83)</b></p>	<p><b>Extension of Nomination Period</b></p> <p>Extension period for anyone other than the incumbent to file a Declaration of Candidacy and Nomination Petition if the incumbent did not file by March 12. This provision does not apply if there is no incumbent eligible to be elected.</p> <p>CAEC § 8022, 8024, 8204</p> <p><b>For Judicial offices</b>, if the incumbent of the office files a Declaration of Intention, but for any reason fails to qualify for nomination for the office by March 12, 2010, an additional five days shall be allowed for the filing of nomination papers for the office. Any person, other than the incumbent if otherwise qualified, may file nomination papers for the office during the extended period, notwithstanding that he or she has not filed by February 10 a written and signed Declaration of Intention to become a candidate for the office.</p> <p><b>NOTE: This extension does NOT apply...</b></p> <ol style="list-style-type: none"> <li>1. when the incumbent for judicial office does not file a Declaration of Intention for that same office (there is an earlier filing extension period from February 11 to February 15);</li> <li>2. when there is no incumbent eligible to be re-elected;</li> <li>3. to county central committee and county councils*</li> </ol> <p>*County central committees do not have an extension for filing because the code does not specifically allow it as it does for all other offices.</p>
<p><b>Mar. 18, 11 a.m. (E-82)</b></p>	<p><b>Randomized Alphabet Drawing</b></p> <p>Secretary of State shall conduct at 11 a.m. the randomized alphabet drawing to determine the order in which the candidates will appear on the primary election ballot. On this same day, the Department of Elections shall conduct a randomized alphabet drawing for the office of State Senate and Assembly.</p> <p>CAEC § 13112</p>



<p><b>Mar. 22</b> <b>(E-78)</b></p>	<p><b>Write-In Campaign Against Incumbent Judge Running Unopposed</b></p> <p>Last day to file a petition indicating that a write-in campaign will be conducted against an unopposed superior court judicial candidate who has filed Nomination Papers. The petition must be signed by 100 registered voters qualified to vote on the office. Write-in candidates must file between April 12 and May 25.</p> <p>CAEC §§ 8203, 8600-8604</p>
<p><b>Mar. 22</b> <b>(E-78)</b></p>	<p><b>First Pre-Election Campaign Statement – FPPC Form 460`</b></p> <p>Last day to file campaign statements for candidates and committees covering the period ending March 17, 2010.</p> <p>Gov. Code §§ 84200.5, 84200.7(a)</p>
<p><b>Mar. 27</b> <b>(E-73*)</b></p>	<p><b>Notice to Candidates of Opponents – Partisan Offices Only</b></p> <p>On or before this date, but fewer than five days before sending the Certified List of Candidates to county elections officials April 1, the Secretary of State shall notify each candidate for partisan office of the names, addresses, offices, occupations and party affiliations, if applicable, of all other persons who have filed for the same office.</p> <p>CAEC § 8121</p>
<p><b>Apr. 1</b> <b>(E-68)</b></p>	<p><b>Certified List of Candidates</b></p> <p>Last day for the Secretary of State to send to each elections official a list showing the name, party affiliation, office and address of every federal and state candidate entitled to receive votes within the county at the primary.</p> <p>CAEC § 8120-8125</p> <p>By this date, the Secretary of State shall also provide to county elections officials a list of candidates arranged according to the randomized alphabet drawn on March 18th.</p> <p>CAEC § 8149</p>
<p><b>Apr. 12 – May 25</b> <b>(E-57 to E-14)</b></p>	<p><b>Statement of Write-in Candidacy and Nomination Papers</b></p> <p>During this period write-in candidates must file their Statement of Write-in Candidacy and Nomination Papers with the county elections official.</p> <p>CAEC § 8601</p>
<p><b>Apr. 29 – May 18</b> <b>(E-40 to E-21)</b></p>	<p><b>Counties Mail Sample Ballots / State Ballot Pamphlet Mailing</b></p> <p>Between these dates the Secretary of State shall mail state ballot pamphlets and the Department of Elections shall mail county sample ballots to all households in which voters were registered by Friday, April 9 (E-60). The county will do a supplemental mailing of state pamphlets to voters who register after April 9.</p> <p>CAEC § 9094</p>

<b>May 23 – Jun. 7 (E-16* to E-1)</b>	<b>Late Contribution/Independent Expenditure Report – FPPC Form 496/497</b>  During this time late contribution/independent expenditure reports must be filed by FAX, telegram, mailgram, guaranteed overnight mail or deliver in person.  E-Filers may have different reporting requirements. For more information, visit the Secretary of State website at <a href="http://www.ss.ca.gov">www.ss.ca.gov</a> .  Gov. Code §84203, 84204
<b>May 23 – Jun. 7 (E-16* to E-1)</b>	<b>24-Hour Statement of Organization Filing Requirement – Recipient Committees &amp; Slate Mailer Organizations</b>  During the 16 days immediately preceding an election, any person or entity that qualifies as a recipient committee or slate mailer organization must file a Form 410 within 24 hours by telegram or personal delivery.  Gov. Code §84101, 84108
<b>May 27 (E-12)</b>	<b>Second Pre-Election Statement – FPPC Form 460</b>  The last day to file campaign statements for candidates and committees covering the period from 3/18/10 to 5/22/10.  Gov. Code §§ 84200.5, 84200.7
<b>May 27 (E-12)</b>	<b>Supplemental Independent Expenditure Reports</b>  Last day to filed supplemental independent expenditure reports for committees making independent expenditures of \$1,000 or more in a calendar year to support or oppose a candidate or measure. Independent expenditure reports are filed at the same time and in the same places as would be required if the filer were primarily formed to support or oppose the candidate, measure, or measure qualification affected by the independent expenditure.  E-Filers may have different reporting requirements. For more information, visit the Secretary of State website at <a href="http://www.ss.ca.gov">www.ss.ca.gov</a> .  Gov. Code §§ 84203.5, 82031
<b>May 31 (E-8*)</b>	<b>Memorial Day Holiday – Office Closed</b>
<b>June 8 (E)</b>	<b>PRIMARY ELECTION DAY</b>  Polls open at 7 a.m. and close at 8 p.m.  CAEC § 1000, 14212
<b>June 10 – Jul. 6 (E+2 to E+28)</b>	<b>Official Canvass</b>  The official canvass of precinct returns is to be completed during this time.  CAEC § 15301, 15372

<p><b>July 6 (E+28)</b></p>	<p><b>Last Day to Certify Election Results</b></p> <p>The Department of Elections shall prepare a certified statement of the results of the election and submit it to the Board of Supervisors. The Board of Supervisors shall declare the nominees or winners for each office and the results of each measure under its jurisdiction. The Department of Elections shall make and deliver to each person elected a certificate of election.</p> <p>CAEC § 15372, 15400-15401</p>
<p><b>July 6 (E+28)</b></p>	<p><b>Nonpartisan Candidates Elected if Majority Vote Received</b></p> <p>Any candidate for a nonpartisan office who at a primary election receives a majority of the votes cast for candidates for that office shall be elected to that office. The office shall not appear on the general election ballot, notwithstanding the death, resignation, or other disqualification of the candidate at a time subsequent to the primary election.</p> <p>CAEC § 8140</p>
<p><b>July 6 (E+28)</b></p>	<p><b>No Candidate Elected to Non-partisan Office</b></p> <p>If no candidate has been elected to a nonpartisan office where only one person may be elected, then the two candidates who received the highest number of votes cast for nomination to that office shall appear on the November ballot.</p> <p>CAEC § 8141</p> <p>In the case of a tie vote, both candidates will appear on the November ballot. In no case shall the candidates determine the tie by lot.</p> <p>CAEC § 8142</p>
<p><b>5 Days After Canvass</b></p>	<p><b>Recount May Be Requested</b></p> <p>Within five (5) days after the completion of the official canvass, any voter may request a recount by filing a written request with the elections official and specifying which candidates and/or measures are to be recounted. The request may specify the order of the precincts for the recount, and the petitioning voter shall, before commencement of each day's recount, deposit such sum as the official requires to cover costs.</p> <p>"Completion of the canvass" shall be presumed to be the time when the elections official signs the certified Statement of Vote.</p> <p>CAEC § 15600-15642</p>

<p><b>Varies between 10 days to 6 months following the certification of the vote</b></p>	<p><b>Contesting Election</b></p> <p>Any elector of a county, city, or of any political subdivision of either may contest any election held therein for any of the following grounds:</p> <ul style="list-style-type: none"> <li>a) That the precinct board or any member thereof was guilty of misconduct.</li> <li>b) That the person who has been declared elected to an office was not, at the time of the election, eligible to that office.</li> <li>c) That the defendant has given to any elector or member of a precinct board any bribe or reward, or has offered any bribe or reward for the purpose of procuring his election, or has committed any other offense against the elective franchise defined in Division 18 (commencing with Section 18000).</li> <li>d) That illegal votes were cast.</li> <li>e) That eligible voters who attempted to vote in accordance with the laws of the state were denied their right to vote.</li> <li>f) That the precinct board in conducting the election or in canvassing the returns, made errors sufficient to change the result of the election as to any person who has been declared elected.</li> <li>g) That there was an error in the vote-counting programs or summation of ballot counts.</li> </ul> <p style="text-align: right;">CAEC §16100</p>
<p><b>Varies between 10 days to 6 months following the certification of the vote</b></p>	<p><b>Contesting Election (continued)</b></p> <p>The contestant shall verify the statement of contest, as provided by Section 446 of the Code of Civil Procedure, and shall file it within the following times after the declaration of the result of the election by the body canvassing the returns thereof:</p> <ul style="list-style-type: none"> <li>a) In cases other than cases of a tie, where the contest is brought on any of the grounds mentioned in subdivision (c) of Section 16100, six months.</li> <li>b) In all cases of tie, 20 days.</li> <li>c) In cases involving presidential electors, 10 days.</li> <li>d) In all other cases, 30 days.</li> </ul> <p style="text-align: right;">CAEC §16401</p>
<p><b>July 13 (E+35)</b></p>	<p><b>Statement of Vote to Secretary of State</b></p> <p>No later than this date the elections official shall send one copy of the Statement of Vote to the Secretary of State.</p> <p style="text-align: right;">CAEC §15375</p>
<p><b>July 16 (E+38)</b></p>	<p><b>Certificates of Election or Nomination to be prepared</b></p> <p>The Department of Elections will prepare certificates of election for each member elected to a central committee or county council as well as certificates of nomination for each candidate nominated for non-partisan offices voted for wholly within one county.</p> <p style="text-align: right;">CAEC § 8145, 8146</p> <p>The Secretary of State will prepare certificates of nomination for Congressional and Legislative candidates.</p> <p style="text-align: right;">CAEC § 8147</p>

<p><b>Aug. 2</b> <b>(E+53*)</b></p>	<p><b>Semi-annual Campaign Statement – FPPC Form 460</b></p> <p>Last day to file semi-annual campaign statements, if required, by all candidates and committees.</p> <p>Gov. Code §§ 84200, 84218</p>
<p><b>Aug. 2</b> <b>(E+53*)</b></p>	<p><b>Supplemental Independent Expenditure Reports – FPPC Form 496/497</b></p> <p>Last day to file supplemental independent expenditure reports for committees making independent expenditures of \$1,000 or more in a calendar year to support or oppose a candidate or measure. Independent expenditure reports are filed at the same time and in the same places as would be required if the filer were primarily formed to support or oppose the candidate, measure, or measure qualification affected by the independent expenditure.</p> <p>E-Filers may have different reporting requirements. For more information, visit the Secretary of State website at <a href="http://www.ss.ca.gov">www.ss.ca.gov</a>.</p> <p>Gov. Code §§ 84203.5, 82031</p>

# NOVEMBER 2, 2010 GENERAL ELECTION CALENDAR

All code sections are the California Elections Code, unless otherwise noted.

Following the filing period dates, the number of days prior to or after the election is provided (E = Election Day, followed by the number of days prior to (-) or after (+) Election Day.)

If there is an asterisk by the **E-DATE**, the deadline falls on a weekend or holiday and, in most cases, has been moved to the next business day.

<p><b>Apr. 23 – Jul. 22</b> <b>(E-193 to E-103)</b></p>	<p><b>Signatures In-Lieu of Filing Fees – Independent Candidates Running for U.S. Senate, Congress and State Legislative offices</b></p> <p>During this period, a candidate for U.S. Senate, Congress and State Legislative offices may obtain his or her forms from the Department of Elections or the Secretary of State for circulating petitions to secure signatures in lieu of all or part of their filing fee.</p> <p style="text-align: right;">§§8061, 8105, 8106, 8302, 8405</p>
<p><b>June 7 – Aug. 6</b> <b>(E-148 to E-88)</b></p>	<p><b>Nomination Papers — Independent Candidates</b></p> <p>Between these dates, independent candidates for partisan office shall circulate their Nomination petitions to obtain signatures and submit them to the Department of Elections for examination. If the district falls within two or more counties, the Department of Elections shall report within two working days to the Secretary of State the total number of signatures submitted.</p> <p style="text-align: right;">§8403</p> <p>Independent candidates must pay the non-refundable filing fee or present a sufficient number of valid in-lieu signatures at the time they receive their Nomination Paper from the Department of Elections. The Department of Elections shall forward the nomination papers to the Secretary of State between June 7 and August 6.</p>
<p><b>June 7 – Aug. 6</b> <b>(E-148 to 88)</b></p>	<p><b>Statement of Economic Interests</b></p> <p>Between these dates, specified non incumbent candidates in an election shall file Statements of Economic Interests (Form 700) disclosing their investments, interests in real property, and any income received during the preceding 12 months. Such statement shall not be required if the candidate has filed such a statement within the past 60 days for the same jurisdiction.</p> <p style="text-align: right;">Gov. Code §§87200, 87201, 87500</p>
<p><b>July 5*</b> <b>(E-120)</b></p>	<p><b>Independence Day Holiday – Office Closed</b></p>
<p><b>Jul 12 – Aug. 6</b> <b>(E-113 to E-88)</b></p>	<p><b>Candidate’s Statement – Judicial Nominees</b></p> <p>Between these dates, nominees may prepare a statement of qualifications, not to exceed 200 words, to be included in the Voter’s Information Pamphlet. The statement shall be filed and paid for at the time it is filed.</p> <p style="text-align: right;">§13307</p>

<b>July 27</b> <b>(E-98)</b>	<b>Change of Candidate's Ballot Designation</b>  Last day for candidates to request in writing to <b>both</b> the Secretary of State and Department of Elections that a different ballot designation be used for the November election than the designation used at the June primary election.  §13107(e)
<b>July 31</b> <b>Date fixed by Law</b>	<b>Semi-Annual Campaign Statement</b>  Last day to file semiannual campaign statements, if required, by all candidates and committees.  Gov. Code §§84200, 84218
<b>July 31</b> <b>Date fixed by Law</b>	<b>Supplemental Independent Expenditure Reports</b>  Candidates or committees making independent expenditures of \$500 or more in a calendar year to support or oppose a candidate or measure shall file independent expenditure reports as if it were formed or existing primarily to support or oppose the candidate or measure.  Gov. Code §84203.5
<b>Aug. 2*</b> <b>(E-93)</b>	<b>Signatures-In-Lieu Sufficiency – Independent Candidates</b>  Last day for the county elections official to determine the sufficiency of the in-lieu signatures submitted by independent candidates. Within 10 days after receipt of the petition, the county elections official shall notify the candidate of any deficiency. Such candidates shall before the close of nominations on August 8 either submit a supplemental petition or pay a prorated fee to cover the deficiency.  §8106(b)(3)
<b>Aug. 6, 5:00 p.m.</b> <b>(E-88)</b>	<b>Legislative and Congressional Candidate Statement in County Sample Ballot</b>  The last day legislative and congressional candidates may purchase space for a 250-word candidate statement in the county sample ballot(s) of the county or counties in the jurisdiction. Legislative candidates may purchase space only if they have agreed to voluntary expenditure limits.  §13307;13307.5;13308; Gov. Code § 85601
<b>Aug. 12, 11 a.m.</b> <b>(E-82)</b>	<b>Randomized Alphabet Drawing</b>  Secretary of State shall conduct the randomized alphabet drawing to determine the order in which the candidates will appear on the general election ballot. On this same day, the Department of Elections shall conduct a randomized alphabet drawing for the office of State Senate and Assembly.  §13112
<b>Aug. 26</b> <b>(E-68)</b>	<b>Certified List of Candidates – Federal and State Offices</b>  Last day for the Secretary of State to send to each elections official a list showing the name, party affiliation, and ballot designation of every person who has been nominated as a candidate for public office and is entitled to receive votes within the county at the general election.  §8148
<b>Sept. 6</b> <b>(E-57)</b>	<b>Labor Day Holiday – Office Closed</b>

<b>Sept. 7* – Oct. 19</b> <b>(E-57 to E-14)</b>	<b>Statement of Write-in Candidacy and Nomination Papers</b> During this period write-in candidates must file their Statement of Write-in Candidacy and Nomination Papers with the county elections official. §8601
<b>Sept. 23 – Oct. 12</b> <b>(E-40 to E-21)</b>	<b>Counties Mail Sample Ballots / State Ballot Pamphlet Mailing</b> Between these dates the Secretary of State shall mail state ballot pamphlets and the Department of Elections shall mail county sample ballots to all households in which voters were registered by Friday, Sept. 3 (E-60). The county will do a supplemental mailing of state pamphlets to voters who register after Sept. 3. §§9094,13303, 13304
<b>Oct. 5</b> <b>(E-28)</b>	<b>First Pre-Election Statement</b> Last day to file campaign statements for candidates and committees covering the period ending Sept. 30 (E-33). Gov. Code §§84200.5, 84200.7b
<b>Oct. 5</b> <b>(E-28)</b>	<b>Supplemental Independent Expenditure Reports</b> Candidates or committees making independent expenditures of \$1000 or more in a calendar year to support or oppose a candidate or measure shall file independent expenditure reports as if it were formed or existing primarily to support or oppose the candidate or measure. Gov. Code §§84203.5, 82031
<b>Oct. 11</b> <b>(E-22)</b>	<b>Columbus Day Holiday – Office Closed</b>
<b>Oct. 18* – Nov. 1</b> <b>(E-16 to E-1)</b>	<b>Late Contribution/Independent Expenditure Report</b> During this time late contribution/independent expenditure reports must be filed by FAX, telegram, mailgram, guaranteed overnight mail or deliver in person. Gov. Code §§84203, 84204
<b>Oct. 18* – Nov. 1</b> <b>(E-16 to E-1)</b>	<b>24-Hour Statement of Organization Filing Requirement – Recipient Committees &amp; Slate Mailer Organizations</b> During the 16 days immediately preceding an election, any person or entity which qualifies as a recipient committee or slate mailer organization must file a Form 410 within 24 hours by telegram or personal delivery. Gov. Code §§84101, 84108
<b>Oct. 21</b> <b>(E-12)</b>	<b>Second Pre-Election Statement</b> The last day to file campaign statements for candidates and committees covering the period from October 1 to October 16, 2010. Gov. Code §§84200.5, 84200.7
<b>Oct. 21</b> <b>(E-12)</b>	<b>Supplemental Independent Expenditure Reports</b> Candidates or committees making independent expenditures of \$500 or more in a calendar year to support or oppose a candidate or measure shall file independent expenditure reports as if it were formed or existing primarily to support or oppose the candidate or measure. Gov. Code §§84203.5, 82031



<b>Nov. 2 (E)</b>	<b>GENERAL ELECTION DAY</b> Polls open at 7 a.m. and close at 8 p.m. §§1000, 14212
<b>Nov. 2 (E)</b>	<b>Unopposed Judge: Superior Court</b> On this date, the Department of Elections declares elected any incumbent superior court judge who has filed for office but whose name did not appear on either the primary or general election ballots because he or she was unopposed. §8203
<b>Nov. 4 – Nov. 30 (E+2 to E+28)</b>	<b>Official Canvass</b> The official canvass of precinct returns is to be completed during this time. §§15301, 15372
<b>Nov. 25 – 26 (E+23 to 24)</b>	<b>Thanksgiving Day (and day after) Holiday – Office Closed</b>
<b>Nov. 30 (E+28)</b>	<b>Last Day to Certify Election Results</b> The Department of Elections shall prepare a certified statement of the results of the election and submit it to the Board of Supervisors. The Board of Supervisors shall declare the nominees or winners for each office and the results of each measure under its jurisdiction. The Department of Elections shall make and deliver to each person elected a certificate of election. §§15372, 15400-15401
<b>5 days after canvass</b>	<b>Recount May Be Requested</b> Within five (5) days after the completion of the official canvass, any voter may request a recount by filing a written request with the Elections official and specifying which candidates and/or measures are to be recounted. The request may specify the order of the precincts for the recount, and the petitioning voter shall, before commencement of each day's recount, deposit such sum as the official requires to cover costs (approximately \$500 per day).  "Completion of the canvass" shall be presumed to be the time when the elections official signs the certified Statement of Vote. §§15620 – 15634
<b>Varies between 10 days to 6 months following the certification of the vote</b>	<b>Contesting Election</b> Any elector of a county, city, or of any political subdivision of either may contest any election held therein for any of the following grounds: <ol style="list-style-type: none"> <li>That the precinct board or any member thereof was guilty of misconduct.</li> <li>That the person who has been declared elected to an office was not, at the time of the election, eligible to that office.</li> <li>That the defendant has given to any elector or member of a precinct board any bribe or reward, or has offered any bribe or reward for the purpose of procuring his election, or has committed any other offense against the elective franchise defined in Division 18 (commencing with Section 18000).</li> </ol>

	<p>d) That illegal votes were cast.</p> <p>e) That eligible voters who attempted to vote in accordance with the laws of the state were denied their right to vote.</p> <p>f) That the precinct board in conducting the election or in canvassing the returns, made errors sufficient to change the result of the election as to any person who has been declared elected.</p> <p>g) That there was an error in the vote-counting programs or summation of ballot counts.</p> <p>CAEC §16100</p>
<p><b>Varies between 10 days to 6 months following the certification of the vote</b></p>	<p><b>Contesting Election (continued)</b></p> <p>The contestant shall verify the statement of contest, as provided by Section 446 of the Code of Civil Procedure, and shall file it within the following times after the declaration of the result of the election by the body canvassing the returns thereof:</p> <p>a) In cases other than cases of a tie, where the contest is brought on any of the grounds mentioned in subdivision (c) of Section 16100, six months.</p> <p>b) In all cases of tie, 20 days.</p> <p>c) In cases involving presidential electors, 10 days.</p> <p>d) In all other cases, 30 days.</p> <p>CAEC §16401</p>
<p><b>Dec. 7 (E+35)</b></p>	<p><b>Statement of Vote to Secretary of State</b></p> <p>No later than this date the elections official shall send one copy of the Statement of Vote to the Secretary of State.</p> <p>§15375</p>
<p><b>Dec. 13* (E+39)</b></p>	<p><b>Certificates of Election</b></p> <p>The Secretary of State shall issue certificates of election to persons elected to U.S. Senate, Congress, and legislative offices.</p> <p>§§15503-15504</p>
<p><b>Jan. 31, 2011 Date Fixed by Law</b></p>	<p><b>Semiannual Campaign Statement</b></p> <p>Last day to file semiannual campaign statements, if required, by all candidates and committees.</p> <p>Gov. Code §§84200, 84218</p>
<p><b>Jan 31, 2011 Date Fixed by Law</b></p>	<p><b>Supplemental Independent Expenditure Reports</b></p> <p>Candidates or committees making independent expenditures of \$500 or more in a calendar year to support or oppose a candidate or measure shall file independent expenditure reports as if it were formed or existing primarily to support or oppose the candidate or measure.</p> <p>Gov. Code §84203.5, 82031</p>

## OFFICES ON THE JUNE 8, 2010 BALLOT

PARTISAN					
OFFICE	INCUMBENT	JURISDICTION	TERM	BEGINS	QUALIFICATIONS
Governor	Arnold Schwarzenegger (R)	State	4 years	Jan. 3, 2011	U. S. Citizen; A registered voter at the time nomination papers are issued. 2 term limit (EC §201; Art. V. Sec. 2, CA Const.)
Lt. Governor	Abel Maldonado (R) Appointed by Governor pending Legislative confirmation	State	4 years	Jan. 3, 2011	U. S. Citizen; A registered voter at the time nomination papers are issued. 2 term limit (EC §201; Art. V. Sec. 2, CA Const.)
Attorney General	Edmund G. Brown, Jr. (D)	State	4 years	Jan. 3, 2011	U. S. Citizen; A Registered voter at the time nomination papers are issued. Shall have been admitted to practice before the Supreme Court of the state for at least 5 years immediately preceding the election. 2 year term. (Elec. Code §201, Gov. Code §12503)
Controller	John Chiang (D)	State	4 years	Jan. 3, 2011	U. S. Citizen; A registered voter at the time nomination papers are issued. 2 term limit. (Elec. Code §201)
Secretary of State	Debra Bowen (D)	State	4 years	Jan. 3, 2011	U. S. Citizen; A registered voter at the time nomination papers are issued. 2 term limit. (Elec. Code §201)
Treasurer	Bill Lockyer (D)	State	4 years	Jan. 3, 2011	U. S. Citizen; A registered voter at the time nomination papers are issued. 2 term limit. (Elec. Code §201)
Insurance Commissioner	Steve Poizner (R)	State	4 years	Jan. 3, 2011	U. S. Citizen; A registered voter at the time nomination papers are issued. During tenure in office, may not be an officer, agent or employee of an insurer or directly or indirectly interested in any insurer or licensee under the CA. Insurance Code, except as a policyholder or by virtue of relationship by blood or marriage to any person interested in any insurer or licensee. 2 term limit. (Elec. Code §201, Ins. Code §12901)

<b>PARTISAN</b>					
<b>OFFICE</b>	<b>INCUMBENT</b>	<b>JURISDICTION</b>	<b>TERM</b>	<b>BEGINS</b>	<b>QUALIFICATIONS</b>
U.S. Senate	Barbara Boxer (D)	Statewide	6 years	Jan. 3, 2011	At least 30 years old, registered voter, U.S. citizen for at least 9 years, resident of the State when elected. (U.S. Const., Art. I, §3)
U.S. Representative In Congress	Nancy Pelosi (D)	8 <sup>th</sup> District	2 years	Jan. 3, 2011	At least 25 years old, registered voter, U.S. citizen for at least 7 years, resident of the state when elected. There are no district residency requirements for Members of Congress) (U.S. Const., Art. I, §2)
U.S. Representative In Congress	Jackie Speier (D)	12 <sup>th</sup> District*	2 years	Jan. 3, 2011	At least 25 years old, registered voter, U.S. citizen for at least 7 years, resident of the state when elected. There are no district residency requirements for Members of Congress) (U.S. Const., Art. I, §2)
State Senate	Leland Yee (D)	8 <sup>th</sup> District *	4 years	Dec. 6, 2010	U.S. citizen, registered voter in the district at the time Nomination Papers are issued. 2 term limit (total 8 years)
State Assembly	Fiona Ma (D)	12 <sup>th</sup> District *	2 years	Dec. 6, 2010	U.S. citizen, registered voter in the district at the time Nomination Papers are issued. <sup>1</sup> 3 term limit (total 6 years)
State Assembly	Tom Ammiano (D)	13 <sup>th</sup> District	2 years	Dec. 6, 2010	U.S. citizen, registered voter in the district at the time Nomination Papers are issued. <sup>1</sup> 3 term limit (total 6 years)
State Board of Equalization	Betty Yee (D)	District 1	4 years	Jan. 3, 2011	U. S. Citizen; A Registered voter at the time nomination papers are issued. <sup>1</sup> 2 term limit. (EC §201)

\* Shared counties: San Francisco and San Mateo

---

<sup>1</sup> Article 1V, Section 2 (c), of the California Constitution requires one year residency in the legislative district and California residency for three years. However, it is the legal opinion of the Secretary of State's Office that these provisions violate the U.S. Constitution.

## OFFICES ON THE JUNE 8, 2010 BALLOT

NON - PARTISAN					
OFFICE	INCUMBENT	JURISDICTION	TERM	BEGINS	QUALIFICATIONS
Superintendent of Public Instruction	Jack O'Connell	State	4 years	Jan. 3, 2011	U.S. citizen, registered voter in the district at the time nomination papers are issued. <sup>1</sup> 2 term limit. (Cal.Const., art. IV, § 2)

Superior Court Judge – Seat 1	Ronald Albers	County	6 years	Jan. 3, 2011	<p>U.S. citizen, registered voter of the state, member of the State Bar for 10 years or have served as a judge of a California court of record for 10 years immediately preceding the election.</p> <p><b>DOCUMENTATION REQUIRED.</b> (Elec. Code §13, 13.5, CA Const., Art. VI, §15 &amp; 16)</p>
Superior Court Judge – Seat 2	Suzanne Ramos Bolanos				
Superior Court Judge – Seat 3	Susan Breall				
Superior Court Judge – Seat 4	Ellen Chaitin				
Superior Court Judge – Seat 5	Bruce E. Chan				
Superior Court Judge – Seat 6	Wallace P. Douglass				
Superior Court Judge – Seat 7	Ernest Goldsmith				
Superior Court Judge – Seat 8	Teri Leatrice Jackson				
Superior Court Judge – Seat 9	Richard Kramer				
Superior Court Judge – Seat 10	Newton J. Lam				
Superior Court Judge – Seat 11	Donna Alyson Little				
Superior Court Judge – Seat 12	Donald Mitchell				
Superior Court Judge – Seat 13	Mary Morgan				
Superior Court Judge – Seat 14	Ronald Quidachay				
Superior Court Judge – Seat 15	Richard B. Ulmer, Jr.				
Superior Court Judge – Seat 16	Carol Yaggy				

## **NO PARTISAN BALLOT PRINTED WHEN THERE ARE NO PARTISAN CANDIDATES**

CAEC § 8004.

(a) In the event that no candidate files for a party's nomination for any partisan office that would appear on the ballot in a county or a political subdivision within that county, the elections official shall do both of the following:

- (1) Refrain from printing a partisan ballot for that party in that county or a political subdivision within that county in which there are no candidates for that political party's nomination.
- (2) Send notification to those voters registered as affiliated with that party that there were no qualified candidates for the partisan office for which the voter is eligible to vote, together with a nonpartisan ballot, unless, within 10 days after the final date for filing nomination papers for the office, a petition indicating that a write-in campaign will be conducted is filed with the elections official and signed by 10 percent of the registered voters, or 100 registered voters, whichever is less, affiliated with that party within the county or a political subdivision within that county, whichever is applicable.

(b) A separate petition shall be filed for each specific office for which a write-in campaign is to be conducted.

# RESIDENCE AND DOMICILE

In order to qualify for most offices, a candidate must be a registered voter of the district or division thereof. The following code sections will assist in determining residence.

## **Elections Code §349. Residence and Domicile**

“Residence” for voting purposes means a person’s domicile. The domicile of a person is that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. At a given time, a person may have only one domicile. The residence of a person is that place in which the person’s habitation is fixed for some period of time, but wherein he or she does not have the intention of remaining. At a given time, a person may have more than one residence. (Added by Stats. 1994)

## **Elections Code §2020. Term of domicile**

The term of domicile is computed by including the day on which the person's domicile commenced and by excluding the day of the election. (Added by Stats. 1994)

## **Elections Code §2021. Person away for temporary purposes**

A person who leaves his or her home to go into another state or precinct in this state for temporary purposes merely, with the intention of returning, does not lose his or her domicile. A person does not gain a domicile in any precinct into which he or she comes for temporary purposes merely, without the intention of making that precinct his or her home. (Added by Stats. 1994)

## **Elections Code §2022. Move to another state**

If a person moves to another state with the intention of making it his or her domicile, the voter loses his or her domicile in this state. (Added by Stats. 1994)

## **Elections Code §2023. Move to another state**

If a person moves to another state as a place of permanent residence, with the intention of remaining there for an indefinite time, he or she loses his or her domicile in this state, notwithstanding that he or she intends to return at some future time. (Added by Stats. 1994)

## **Elections Code §2024. Intention and fact or removal**

The mere intention to acquire a new domicile, without the fact of removal avails nothing, neither does the fact of removal without the intention. (Added by Stats. 1994)

## **Elections Code §2025. Employment in the service of the United States; Navigation; Institution**

A person does not gain or lose a domicile solely by reason of his or her presence or absence from a place while employed in the service of the United States or of this state, nor while engaged in navigation, nor while a student of any institution of learning, nor while kept in an almshouse, asylum or prison. This section shall not be construed to prevent a student at an institution of learning from qualifying as an elector in the locality where he or she domiciles while attending that institution, when in fact the student has abandoned his or her former domicile. (Added by Stats. 1994)

## **Elections Code §2026. Domicile of Legislative Member or Congressional Representative**

The domicile of a Member of the Legislature or a Representative in the Congress of the United States shall be conclusively presumed to be at the residence address indicated on that person's currently filed affidavit of registration. (Added by Stats. 1994)

## **Elections Code §2027. Domicile of family; residence in trailer**

The place where a person's family is domiciled is his or her domicile unless it is a place for temporary establishment for his or her family or for transient objects. Residence in a trailer or vehicle or at any public camp or camping ground may constitute a domicile for voting purposes if the registrant complies with the other requirements of this article. (Added by Stats. 1994)

## **Elections Code §2028. Place of family and business**

If a person has a family fixed in one place, and he or she does business in another, the former is his or her place of domicile, but any person having a family, who has taken up an abode with the intention of remaining and whose family does not so reside with him or her, is a domiciliary where he or she has so taken up the abode. (Added by Stats. 1994)

**Elections Code §2029. Domicile of spouse**

The domicile of one spouse shall not be presumed to be that of the other, but shall be determined independently in accordance with this article. (Added by Stats. 1994)

**Elections Code §2030. Marriage to a person employed in the service of the United States**

A domiciliary of this state who marries a person employed temporarily in this state in the service of the United States government, may elect to retain his or her domicile for the purpose of qualifying as an elector only, except that his or her domicile in this state shall terminate if the domiciliary qualifies as an elector in any other state or any territory. (Added by Stats. 1994)

**Elections Code §2031. Homeowner's property tax exemption; renter's tax credit; driver's license**

If a person has more than one residence and that person maintains a homeowner's property tax exemption on the dwelling of one of the residences pursuant to Section 218 of the Revenue and Taxation Code, there shall be a rebuttable presumption that the residence subject to the homeowner's property tax exemption is that person's domicile. However, this presumption shall not apply in the event any other residence is listed as the person's current residence address on any driver's license, identification card or vehicle registration issued to that person by, and on file with, the Department of Motor Vehicles.

If a person has more than one residence and that person claims a renter's tax credit for one of the residences pursuant to Section 17053.5 of the Revenue and Taxation Code, there shall be a rebuttable presumption that the residence subject to the renter's tax credit is that person's domicile. However, this presumption shall not apply in the event any other residence is listed as the person's current residence address on any driver's license, identification card, or vehicle registration issued to that person by, and on file with, the Department of Motor Vehicles. This section shall not be applicable to state or federal elected officials. (Added by Stats. 1994)

**Elections Code §2032. More than one residence**

Except as provided in this article, if a person has more than one residence and that person has not physically resided at any one of the residences within the immediate preceding year, there shall be a rebuttable presumption that those residences in which he or she has not so resided within the immediate preceding year are merely residences as defined in subdivision (c) of Section 349 and not his or her domicile. (Added by Stats. 1994)

**Elections Code §2033. Change of house number**

Whenever the house number or the mailing address of a voter has been changed and the voter's domicile is the same, the public agency authorizing the change shall notify the county elections official in writing of the change and the county elections official shall make the change on the voter's affidavit of registration and a new affidavit shall not be required. (Added by Stats. 1994)

**Elections Code §2034. Domicile in more than one precinct**

A person domiciled in a house or apartment lying in more than one precinct shall be registered as domiciled in the precinct designated by the county elections official on the basis of the street address or other precinct the county elections official considers appropriate unless the person requests, either by letter or in person at the office of the county elections official, that he or she wishes to be domiciled for registration purposes in another precinct in which his or her house or apartment lies. In order to fulfill the requirements of this section, the letter of request shall include the name, signature, and residence address of the requester. (Added by Stats. 1994)

**Elections Code §2035. Voter residence change 14 days prior to an election**

A person duly registered as a voter in any precinct in California who removes therefrom within 14 days prior to an election shall, for the purpose of that election, be entitled to vote in the precinct from which the person so removed until the close of the polls on the date of that election. (Amended by Stats. 2000)

## **COURT CASES**

**Voter Registration and Establishment of Domicile. Walters v. Weed (1988) AKA "UCSC Student Voting Case." 45 Cal.3d.1**

In this California Supreme Court decision, the court held that voters who have moved, but have not established a new domicile, may vote in the precinct of their former domicile even though they have no intention of returning to live there.



**Homeless Person's Right to Register to Vote. Collier v. Menzel (1985). AKA "Fig Tree Case." 176 Cal. App.3d 24**

In this Court of Appeal decision, the court held that a homeless person may register at a location deemed by the voter to be a dwelling place or place of habitation for that voter. A mailing address needs to be provided in order for the voter to receive election materials.

## **INCOMPATIBILITY OF OFFICES**

The Political Reform Act does not prohibit any office holder from holding multiple public offices or seeking more than one elective office. For example, a deputy district attorney can hold the office of city council member, or a water board director may also be elected to a park and recreation district. There are, however, instances of holding more than one office that are considered incompatible.

There is no single statute that defines "incompatibility of offices". The common law doctrine of incompatibility of offices, however, prevents an elected official from holding two offices simultaneously **if the offices have overlapping and conflicting public duties.**

The courts have defined this concept as follows: "One individual may not simultaneously hold two public offices where the functions of the offices concerned are inherently inconsistent, as where there are conflicting interests, or where the nature of the duties of the two offices is such as to render it improper due to considerations of public policy for one person to retain both."

The State of California Attorney General's Office has issued many opinions of particular compatibility questions. Here are six examples of incompatible offices:

1. The offices of city councilman and school district board member where the city and the school district have territory in common;
2. fire chief of a county fire protection district and member of the board of supervisors of the same county;
3. high school district trustee and trustee of an elementary school district which is wholly within the geographic boundaries of the high school district;
4. water district director and a city council member,
5. water district director and a school district trustee having territory in common; and
6. deputy sheriff and county supervisor.

If you have a question about whether two public offices which you hold or seek to hold would be considered incompatible, contact the Attorney General's office at (916) 324-5437 or visit their website, [www.caag.state.ca.us](http://www.caag.state.ca.us). For further information about conflict of interest or incompatibility of offices, contact the Fair Political Practices Commission's website at [www.fppc.ca.gov](http://www.fppc.ca.gov), or phone toll free 1-866-275-3772.

E. C. 8003. This chapter does not prohibit the independent nomination of candidates under Part 2 (commencing with Section 8300), subject to the following limitations:

- a) A candidate whose name has been on the ballot as a candidate of a party at the direct primary and who has been defeated for that party nomination is ineligible for nomination as an independent candidate. He is also ineligible as a candidate named by a party central committee to fill a vacancy on the ballot for a general election.
- b) No person may file nomination papers for a party nomination and an independent nomination for the same office, or for more than one office at the same election.

## CANDIDATE CHECKLIST – JUNE 8, 2010

Listed below is a description of the various mandatory and optional forms to be filed for candidacy in the June 8, 2010 Election. It is the obligation of the candidate to ensure that all filing requirements and deadlines have been met. All candidates are urged to file the required documents as early as possible to avoid a last minute rush, confusion or misunderstanding. Additionally, it is recommended that the candidate file all documents personally.

DOCUMENT	APPLIES TO	FILING PERIOD
Signature-In-Lieu Petition	Judicial Candidates only	Jan. 4* – Feb. 10
Signature-In-Lieu Petition	Legislative, U.S. Senate, Congressional	Jan. 4* – Feb. 25 (E-158 to E-103)
Declaration of Intention	Judicial Candidates only	Feb. 1 – Feb. 10 (E-127 to E-118)
Declaration of Intention Extension	Anyone other than the Judicial incumbent who did not file	Feb. 11 – Feb. 16* (E-117 to E-113)
Declaration of Candidacy	All candidates	Feb. 16* – Mar. 12 (E-113 to E-88)
Nomination Paper	All candidates	Feb. 16* – Mar. 12 (E-113 to E-88)
Candidate's Statement of Qualifications	Optional for Judicial, Congressional and Legislative candidates ONLY	(Must be filed & paid for with Dec. of Candidacy)
Nomination Document Extension	Anyone other than the incumbent who did not file	Mar. 13 – Mar. 17 (E-87 to E-83)
Statement of Economic Interests (Form 700)	All candidates EXCEPT U.S. Senate and Congressional	File with Dec. of Candidacy
Campaign Disclosure Statements	All candidates	See FPPC filing schedule
Code of Fair Campaign Practices	Optional for All Candidates	File with Dec. of Candidacy

## **FILING FEES**

### **When and where is the filing fee paid?**

All candidates except judicial:	Must be paid when the Declaration of Candidacy and Nomination petition are issued at the Department of Elections. Checks are made payable to the Secretary of State.
Judicial candidates:	Must be paid upon filing Declaration of Intention at the Department of Elections. Checks are made payable to the S.F. Department of Elections. (CAEC §§8103, 8104, 8105)

### **May filing fee be paid in cash?**

Filing fees may be paid in cash if the candidate is using personal funds and will not be reimbursed through the campaign committee. (Gov. Code §85200).

Otherwise, campaign disclosure laws require that expenditures of \$100 or more be made by written instrument containing the names of both the payee and payer. (Gov. Code §84300)

### **How much is the filing fee?**

Filing fees are shown in the table on Page 27. The filing fee is a percentage of the annual salary for the office. No filing fee is required of offices with no fixed compensation or annual salary of \$2,500 or less. Write-in candidates are not required to pay filing fees. (CAEC §8103, 8104, 8604)

### **Is the filing fee refundable?**

No. If for any reason, the candidate fails to qualify, the filing fee is forfeited. (CAEC, §8105)

**NOTE: Returned Checks** – If the filing fee is paid with a personal check that is returned without payment, the Department of Elections will notify the candidate by telephone. **The candidate must make payment by money order or cashier's check by 5 p.m. on the next business day including a \$50 returned check processing fee.** Failure to do so will invalidate the individual's candidacy, and the candidate's name will not appear on the ballot.

### Required Filing Fees, In-Lieu Signatures, and Nomination Signatures

The number of signatures required, and their respective monetary values, for federal, state constitutional, legislative, or judicial candidates who plan to gather signatures in lieu of filing fees under the provisions of Elections Code section 8106(a)(6) are below.

Office	Salary <sup>1</sup>	Filing Fee (% of salary) <sup>1</sup>	In-Lieu Signatures <sup>2</sup>	Value of each Signature <sup>2</sup>	Nomination Signatures
Governor	\$173,986.75	\$3,479.74 (2%)	10,000	\$ .347974	65-100
Lieutenant Governor	\$130,489.88	\$2,609.80 (2%)	10,000	\$ .26098	65-100
Secretary of State	\$130,489.88	\$2,609.80 (2%)	10,000	\$ .26098	65-100
Controller	\$139,189.26	\$2,783.79 (2%)	10,000	\$ .278379	65-100
Treasurer	\$139,189.26	\$2,783.79 (2%)	10,000	\$ .278379	65-100
Attorney General	\$151,126.82	\$3,022.54 (2%)	10,000	\$ .302254	65-100
Insurance Commissioner	\$139,189.26	\$2,783.79 (2%)	10,000	\$ .278379	65-100
Member, State Board of Equalization (All Districts)	\$130,489.88	\$1,304.90 (1%)	5,220	\$ .24998	40-60
United States Senator	\$174,000	\$3,480 (2%)	10,000	\$ .348	65-100
Member of the House of Representatives	\$174,000	\$1,740 (1%)	3,000	\$ .58	40-60
Member of the State Senate	\$95,290.56	\$952.91 (1%)	3,000	\$ .317637	40-60
Member of Assembly	\$95,290.56	\$952.91 (1%)	1,500	\$ .635273	40-60
Supreme Court (Chief Justice)	\$228,856	\$4,577.12 (2%)	10,000	\$ .457712	None
Supreme Court (Associate Justice)	\$218,237	\$4,364.74 (2%)	10,000	\$ .436474	None
Court of Appeal (All Justices)	\$204,599	\$2,045.99 (1%)	10,000	\$ .204599	None
Superintendent of Public Instruction	\$151,126.82	\$3,022.54 (2%)	10,000	\$ .302254	65-100

<sup>1</sup> Salaries and filing fees are based on salaries as of December 7, 2009.

<sup>2</sup> For partisan state offices, the number of in-lieu signatures required and the monetary value of each in-lieu signature listed above apply only to Democratic and Republican party candidates.

NON-PARTISAN COUNTY CANDIDATES					
Office	Salary*	Filing Fee* (1% of salary)	In-Lieu Signatures	Value of each Signature	Nomination Signatures
Superior Court Judge	\$178,789	\$1,787.89	3576	\$ .50	20 - 40

\* Salary and filing fee as of December 2009.

## Required Filing Fees, In-Lieu Signatures, and Nomination Signatures

The number of signatures required, and their respective monetary values, for federal, state constitutional, legislative, or judicial candidates who plan to gather signatures in lieu of filing fees under the provisions of Elections Code section 8106(a)(6) are below. The signature requirement applies to all parties except Democratic and Republican.

Office	Salary <sup>3</sup>	Filing Fee (% of salary) <sup>3</sup>	In-Lieu Signatures <sup>4</sup>	Value of each Signature <sup>4</sup>	Nomination Signatures
Governor	\$173,986.75	\$3,479.74 (2%)	150	\$ 23.19827	65-100
Lieutenant Governor	\$130,489.88	\$2,609.80 (2%)	150	\$ 17.39867	65-100
Secretary of State	\$130,489.88	\$2,609.80 (2%)	150	\$ 17.39867	65-100
Controller	\$139,189.26	\$2,783.79 (2%)	150	\$ 18.5586	65-100
Treasurer	\$139,189.26	\$2,783.79 (2%)	150	\$ 18.5586	65-100
Attorney General	\$151,126.82	\$3,022.54 (2%)	150	\$ 20.15027	65-100
Insurance Commissioner	\$139,189.26	\$2,783.79 (2%)	150	\$ 18.5586	65-100
Member, State Board of Equalization (All Districts)	\$130,489.88	\$1,304.90 (1%)	150	\$ 8.6993	40-60
United States Senator	\$174,000	\$3,480 (2%)	150	\$ 23.20	65-100
Representative in Congress	\$174,000	\$1,740 (1%)	See Signatures In-Lieu Conversion Table pages 3-6 through 3-9		40-60
State Senator	\$95,290.56	\$952.91 (1%)			40-60
Member of Assembly	\$95,290.56	\$952.91 (1%)			40-60

<sup>1</sup> Salaries and filing fees are based on salaries as of December 7, 2009.

<sup>2</sup> For signature requirement for congressional and legislative offices for American Independent, Green, Libertarian, and Peace and Freedom party candidates, see the Signatures-in-Lieu conversion table below.

CONVERSION TABLE 3-6 THROUGH 3-9 FOR SAN FRANCISCO DISTRICTS

AMERICAN INDEPENDENT				LIBERTARIAN			
District	Registered	Sigs	Value	District	Registered	Sigs	Value
Congressional District 8	6,490	150	\$ 11.50	Congressional District 8	1,944	150	\$ 11.60
Congressional District 12	6,371	150	\$ 11.50	Congressional District 12	1,294	130	\$ 13.38462
State Senate District 8	8,186	150	\$ 6.35273	State Senate District 8	1,837	150	\$ 6.35273
State Assembly District 12	3,616	150	\$ 6.35273	State Assembly District 12	896	90	\$ 10.58789
State Assembly District 13	4,616	150	\$ 6.35273	State Assembly District 13	1,467	147	\$ 6.48238
GREEN				PEACE & FREEDOM			
District	Registered	Sigs	Value	District	Registered	Sigs	Value
Congressional District 8	7,914	150	\$ 11.60	Congressional District 8	1,318	132	\$13.18182
Congressional District 12	3,084	150	\$ 11.60	Congressional District 12	705	71	\$24.50704
State Senate District 8	4,887	150	\$ 6.35273	State Senate District 8	1,121	113	\$ 8.43283
State Assembly District 12	3,040	150	\$ 6.35273	State Assembly District 12	715	72	\$13.23486
State Assembly District 13	6,299	150	\$ 6.35273	State Assembly District 13	904	91	\$10.47134

### **Minor Parties Filing Fee or Signatures Required**

Instead of collecting the number of signatures in-lieu required for candidates seeking the Democratic or Republican party nomination, the law allows minor party candidates to collect 10% of the registered voters of that party in the district or 150 signatures, whichever is less. While Democratic and Republican candidates may collect Sigs In-Lieu from voters registered with no party (non-partisan), minor party candidates must obtain signatures-in-lieu from voters who are registered with the same political party. CAEC §8106 (a)(6)

## CANDIDATE FILING DOCUMENTS

All candidate filing documents are public during the public inspection period. (Refer to the local election calendar for those dates).

### Signatures-In-Lieu of Filing Fee Petition

<b>WHO FILES:</b>	<b>Optional for all candidates</b>
<b>DEADLINE FOR PRIMARY ELECTION:</b>	<b>February 25, 2010 – All candidates</b>
<b>DEADLINE FOR GENERAL ELECTION:</b>	<b>July 22, 2010 – All Candidates</b>

A candidate may submit a petition containing signatures of registered voters in-lieu of paying the filing fee in order to run for office. The signatures submitted may cover all, or a portion, of the filing fee.

Any registered voter may sign an in-lieu petition for any candidate for whom he or she is eligible to vote. Pursuant to CAEC §13102 (added in 2002), qualified parties who have adopted rules allowing nonpartisan voters to vote their party's ballot, may also collect signatures from nonpartisan voters on their Sigs In-Lieu Petitions. The party chair shall provide written notice of the adoption of that rule to the Secretary of State no later than the 135<sup>th</sup> day prior to the partisan primary election at which the vote is authorized (CAEC §13102 (c) ).

If the party has not adopted rules allowing nonpartisan voters to vote their party's ballot, all voters signing a candidate's Sigs In-Lieu Petition must be affiliated with that party.

However, minor party candidates collecting 10% of the registered voters of that party in the district or 150 signatures, whichever is less, must obtain signatures-in-lieu from voters who are registered with the same political party.

Signatures-in-lieu of filing fee petitions may be submitted to the elections official on an on-going basis. (Administrative Code §20533) No additional signatures may be filed after the close of the circulation period; however, supplemental signatures may be filed to replace signatures in the original filings that were found invalid. The elections official shall notify the candidate of the number of invalid signatures within 10 days of filing. The candidate shall cover the deficiency either by submitting a supplemental petition or by paying the balance due of the filing fee no later than February 25<sup>th</sup> for Primary Election candidates or July 22<sup>nd</sup> for General Election candidates running for legislative office.

If a petition is submitted containing numerous duplicate signatures in order to file a larger number of signatures-in-lieu, those signatures will be disqualified and credit toward the filing fee will not be given to them. The candidate must either pay the full amount remaining of the filing fee or forfeit the opportunity to be a candidate. The portion of the filing fee not covered by the signatures must be paid in full before the Declaration of Intention or Declaration of Candidacy and Nomination Petition may be filed.

If forms are issued as Signatures-In-Lieu Petition, they must be returned by the deadlines listed above. DO NOT use the Signatures-In-Lieu Petitions for collecting nomination signatures

during the Nomination Petition signature gathering period from February 15 to March 12. Candidates must obtain a Nomination Petition during that period in order to collect any nomination signatures that may be needed.

The names and addresses of candidates requesting Signature-In-Lieu Petitions is considered public information (CAEC §§8105, 8106)

<b>Signatures-In-Lieu Toward Nomination Signatures</b>
--

<b>WHO FILES:</b>	<b>All candidates who file Signature-In-Lieu Petitions</b>
<b>DEADLINE FOR PRIMARY ELECTION:</b>	<b>February 25, 2010 – All candidates except judicial</b>
<b>DEADLINE FOR GENERAL ELECTION:</b>	<b>July 22, 2010 – All Candidates</b>

If a candidate submits a Signatures-In-Lieu petition, the county elections official shall also count those valid signatures appearing on the petition toward the number of voter signatures required for the candidate's Nomination Paper.

If the Signatures-In-Lieu petition contains the requisite number of valid signatures required for the Nomination Paper, the candidate is NOT required to circulate and file a separate Nomination Paper. Instead, the candidate may submit a written request to the county elections official to count the valid signatures on the Signatures-In-Lieu petition toward the nomination signature requirement. However, the other required documents (i.e. Declaration of Candidacy, etc.) must still be filed during the appropriate time frame.

If the Signature-In-Lieu petition does not contain the requisite number of valid signatures required for the Nomination Paper, the candidate must circulate and file a separate Nomination petition to be signed by qualified registered voters during the nomination period. The candidate may submit a written request to the county elections official to apply the number of valid signatures on the Signature-In-Lieu petition toward, and combined with, the valid number of signatures on the Nomination Paper to satisfy the signature requirement for the office.

***In order for a signature to be considered valid and count toward the nomination signature requirement for partisan offices, the voter must be registered with the same political party as the candidate.***

The Signatures-In-Lieu Petitions and/or the Nomination Paper must be delivered to the county elections official of the county in which the signers of the petition reside. Therefore, all signers on a petition section must reside in the same county.

(CAEC §§8020, 8022, 8040-8041, 8061-8062, 8105-8106)

Note: When commencing the signature verification process, once a 100-signature or 200-signature threshold is met, the Department of Elections will use a random sampling technique. A 3% random sampling as provided for in Municipal Election Code Section 230 (c) will be applied towards local offices such as Superior Court and a 5% random sampling from California Elections Code Section 8084 will be applied towards state offices.

### **Obtaining the Signatures In-Lieu of Filing Fee Form**

Also known as “Petition-in-Lieu” Form, this double-sided master petition form will be available from the Department of Elections beginning January 4, 2010. The form will be issued directly to the candidate or to someone bearing written authorization from the candidate. The department provides a standard “Authorization To Pick Up/Return Nomination Documents” form for candidates to authorize individuals to pick up or file nomination related documents on the candidate’s behalf. There is no charge for the master petition form; however, the candidate will be responsible for duplicating as many copies as he/she needs. The double sided form should be duplicated front to back to prohibit the two pages from being separated. The Department of Elections will not accept petition forms that are stapled, glued or taped together. (CAEC §8106)

The Department of Elections will maintain a list of persons who have applied for Signatures-In-Lieu petitions. **This will be considered public information** in the event of inquiries from the media or others.

## **GUIDELINES FOR GATHERING SIGNATURES**

Circulators (whether the candidate or another person) perform the important duty of obtaining signatures of properly registered voters for the In-Lieu Petition and/or Nomination Paper. If the signatures are not obtained properly and in accordance with the law, the candidate's right to be placed on the ballot could be questioned. All candidates should try to obtain the required number of signatures as soon as possible in order for their nomination papers to be returned to the Department of Elections for examination and filing or certification to the Secretary of State, as the case may be.

### **Petition Circulator Information**

Anyone who is circulating a Signatures-In-Lieu Petition or Nomination Paper must be a registered voter of the jurisdiction in which the candidate is seeking nomination. A circulator may serve only in the jurisdiction and county in which he/she resides. For offices that extend into another county, the circulator can only obtain signatures of registered voters residing in his or her county of residence. Therefore, a circulator in Marin County cannot obtain signatures from voters who reside in San Francisco County. (CAEC §§8065, 8066, 8106(b)(4))

A candidate for any office may obtain signatures to and sign his/her own nomination petition or signatures in-lieu petition. His/her signature will be given the same effect as that of any other qualified signer. The candidate may circulate the petitions throughout the jurisdiction regardless of his/her county of residence. (CAEC §106)

Signatures to a Nomination Paper or any other petition shall not be obtained within 100 feet of any election booth or polling place. (CAEC §18370)



### **Affidavit of Circulator (CAEC §104)**

All petition circulators must complete, in his/her own hand:

- The printed name of the circulator;
- The residential address of the circulator, giving street and number, or if no street or number exists, adequate designation of residence so that the location may be readily ascertained;
- The dates between which all the signatures to the petition or paper were obtained.

Each declaration submitted pursuant to this section shall also set forth the following:

- That the circulator circulated that section and witnessed the appended signatures being written;
- That according to the best information and belief of the circulator, each signature is the genuine signature of the person whose name it purports to be.

The circulator shall certify to the content of the declaration as to its truth and correctness, under penalty of perjury under the laws of the State of California, with the signature of his or her name at length, including given name, middle name or initial, or initial and middle name. The circulator shall state the date and the place of execution on the declaration immediately preceding his or her signature.

### **Qualified Signers**

Only a person who is a registered qualified voter at the time he/she signs the nomination petition or signatures in-lieu petition is entitled to sign it. Each voter shall, at the time of signing the petition or paper, to personally affix his or her signature, printed name and place of residence, giving street and number, and if no street or number exists, then a designation of the place of residence which will enable the location to be readily ascertained. Designation must be identical to the designation on the voter registration affidavit. (CAEC §100)

**Signature-In-Lieu Petition:** Any registered voter may sign an In-Lieu petition for any candidate for whom he or she is eligible to vote.

**Nomination Paper:** Signers of the Nomination Paper shall be voters in the district or political subdivision in which the candidate is to be voted on and shall be affiliated with the political party, if any, in which the nomination is proposed. (CAEC §8068)

#### **Voters May Sign Only One Paper; Exceptions:**

*No signer shall, at the time of signing the petition, have his or her name signed to any other Nomination Paper for any other candidate for the same office. Or, in case there are several places to be filled in the same office, signed to more Nomination Papers for candidates for that office than there are places to be filled. (CAEC §8069)*

#### **Validation of Signatures:**

The following guidelines will be used when validating signatures on nomination petitions or signature-in-lieu of filing fee petitions.

A signature is **INVALID** if the signer:

- is not registered to vote;
- provides a signature on the petition that does not compare to the signature on the voter's affidavit of registration;
- does not reside in the appropriate district ;
- for Nomination Papers for partisan offices, is not registered with the same political party as the candidate;
- for Signatures-In-Lieu petitions for minor parties obtaining 150 or fewer signatures, is not registered with the same political party as the candidate;
- uses a P.O. Box number for residential address;
- uses a mail drop number for residential address;
- provides an address that is different from the voter's residential address on the affidavit of registration on record;
- prints his or her name for the signature, unless registered as such;
- lists her name as Mrs. John Smith;
- uses ditto marks for an address;
- authorize Power of Attorney to sign on his or her behalf.

## **Declaration of Intention**

### **Judicial Candidates**

<b>WHO FILES:</b>	<b>Superior Court Candidates</b>
<b>DEADLINE:</b>	<b>February 1 - 10, 2010</b>
<b>EXTENSION:</b>	<b>February 11 – 16 if incumbent who is eligible to file does not file</b>

Candidate must file a written and signed declaration of his or her intention to become a candidate for that office on a form supplied by the Department of Elections. A candidate for a numerically designated judicial office shall state in his or her declaration for which office he or she intends to become a candidate.

No person may be a candidate nor have his or her name printed on any ballot as a candidate for judicial office unless he or she has filed the declaration of intention,

No candidate for a judicial office shall be required to state his or her residential address on the declaration of intention. However, if the address is not stated on the declaration of intention, the address must be provided to the elections official for verification.

Between these dates judicial candidates file their Declaration of Intention with the Department of Elections. Candidates must pay the entire filing fee at this time, represented by money, signatures or any prorated combination of money and signatures. The filing fee is non-refundable.

An extension only applies to the office of an eligible incumbent who does not file.

(CAEC § 8023)

## Declaration of Candidacy

<b>WHO FILES:</b>	<b>All Candidates</b>
<b>DEADLINE:</b>	<b>March 12, 2010</b>
<b>EXTENSION:</b>	<b>March 17, 2010 if incumbent who is eligible to file does not file</b>

The Declaration of Candidacy is the official nomination document, wherein the candidate indicates how his/her name and ballot designation is to appear on the ballot. Additionally, the candidate declares that he/she meets the statutory and/or constitutional qualifications for the office sought, and that if nominated, the candidate will accept the nomination and not withdraw.

The Oath of Office on the Declaration of Candidacy form must be taken and signed by the candidate before a person authorized to administer oaths. The election officials and notaries public are so authorized.

The Declaration of Candidacy for partisan offices must also contain the date on which the candidate registered with the political party for which he or she is now seeking nomination to office.

The candidate is required to execute the Declaration of Candidacy in the office of the elections official, unless a written statement is signed and dated by the candidate designating a person to receive the Declaration of Candidacy form from the elections official and deliver it to the candidate. The written statement from the candidate shall include language indicating that the candidate is aware that the Declaration of Candidacy must be properly executed and delivered to the elections official in the county of the candidate's residence by the 88<sup>th</sup> day prior to the primary election.

(CAEC §§ 8020, 8028, 8101, 8105)

## Ballot Designation Worksheet

<b>WHO FILES:</b>	<b>All Candidates</b>
<b>DEADLINE:</b>	<b>March 12, 2010</b>
<b>EXTENSION:</b>	<b>March 17, 2010 if incumbent who is eligible to file does not file</b>

In order to facilitate review of a candidate's proposed ballot designation by the Secretary of State pursuant to Elections Code § 13107, the candidate shall submit, at the time of filing his or her proposed ballot designation on the Declaration of Candidacy, a completed Ballot Designation Worksheet on a form provided by the Secretary of State.

All Ballot Designation Worksheets filed with the Office of the Secretary of State or the county elections officials pursuant to this section shall be public records and shall be available for

inspection during the public inspection period and copying at the public counter of the Elections Division of the Office of the Secretary of State, Fifth Floor, 1500 11th Street, Sacramento, California 95814, or at the office of the applicable county elections official.

The Secretary of State shall provide a master copy or copies of the Ballot Designation Worksheet to all elections officials responsible for providing and accepting the nomination documents for candidates in elections for offices certified by the Secretary of State. The Ballot Designation Worksheet shall request that the candidate proposing the ballot designation provide the following information:

1. The candidate's name, home, business and mailing addresses, telephone numbers, email address, if available, and fax number;
2. A designation of the office for which the candidate is seeking election;
3. The name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number of the attorney representing the candidate or for any other person to be contacted in the event the Secretary of State requires further information regarding the proposed ballot designation;
4. The proposed ballot designation submitted by the candidate;
5. The candidate may submit one or more proposed alternate ballot designations ranked in order of the candidate's preference;
6. A brief statement identifying the factual basis upon which the candidate claims the proposed ballot designation and each proposed alternate ballot designation, certificates or other documents supporting the proposed ballot designation.

Pursuant to CAEC §13107, by signing the Ballot Designation Worksheet, the candidate acknowledges that the requested ballot designation represents his/her true principal profession, vocation or occupation to which the candidate is entitled.

### **Ballot Designation Regulations**

The Department of Elections will provide each candidate a copy of the 12 page Secretary of State's Ballot Designation Regulations to assist candidates in determining a true ballot designation.

### **Name on Ballot**

The candidate states on the Declaration of Candidacy how his/her name should appear on the ballot. This should be recognizable as the name under which the candidate is registered, though the two need not be identical. (Example: A candidate registered as "Jonathan William Smith" may use such variations as "John W. Smith," "John Smith," or "J. William (Bud) Smith.")

### **Ballot Designation – Legislative Requirements**

The ballot designation is the word or group of words that will appear on the ballot under the candidate's name, designating the principal profession, vocation, or occupation of the candidate.

California Election Code Section 13107 governs the ballot designation that a candidate may use. All candidates (except candidates for Justice of the State Supreme Court or Court of Appeal) may choose a ballot designation to appear immediately under their name on the ballot. The ballot designation must be chosen from one of the four categories below:

1) **Elective Office:**

Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by a vote of the people, or to which he or she was appointed, in the case of a superior court, municipal, or justice court judge.

2) **Incumbent:**

The word "incumbent" may be used if the candidate is a candidate for the same office that he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior, municipal, or justice court judge, was appointed to that office.

3) **3-word Profession/Occupation/Vocation:**

No more than three words designating either the current principal professions, vocations, or occupations of the candidate. If there is no current position, the candidate may use the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. If more than one profession, vocation or occupation is listed, it shall be separated by a slash ("/").

4) **Appointed Incumbent:**

The phrase "appointed incumbent" may be used if :

1. the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for the election to the same office, or,
2. if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office.

In either instance, the candidate may **not** use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." However, the phrase "appointed incumbent" shall not be required of a candidate who seeks re-election to an office that he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election.

### **Titles or Degrees Prohibited**

No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name, in the case of any election to any office. (CAEC §13106)

### **Unacceptable Designations**

Pursuant to CAEC §13107(b), neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:

- 1) It would mislead the voter.
- 2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
- 3) It abbreviates the word "retired" or places it following any word or words that it modifies.
- 4) It uses a word or prefix, such as "former" or "ex", which means a prior status. The only exception is the use of the word "retired".
- 5) It uses the name of any political party, whether or not it has qualified for the ballot.
- 6) It uses a word or words referring to a racial, religious, or ethnic group.
- 7) It refers to any activity that is prohibited by law.

### **Rejected Ballot Designations**

If, upon checking the Declaration of Candidacy, the election official finds the designation to be in violation of any of the restrictions set forth in §13107, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents.

The candidate shall, within three (3) days from the date of receipt of the notice, appear before the election officer or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide an alternate designation.

In the event the candidate fails to provide an alternate designation, no designation shall appear after the candidate's name.

### **Ballot Designation May Not Be Changed After Filing**

No ballot designation given by a candidate shall be changed by the candidate after the final date for filing nomination papers, except as specifically requested by the election official.

### **Ballot Designation In Both Primary and General Election**

The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 83 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.

### **Format of Ballot Designations**

In all cases, ballot designations shall be printed in 8-point uppercase and lowercase type. If the designation selected is so long that it would conflict with the space requirements of CAEC §13207 and 13211, the election official shall use a type size for the designation for each candidate for office sufficiently smaller to meet these requirements.

Whenever a foreign language translation of a candidate's designation is required under the Voting Rights Act of 1965 (42 U.S.C.A. 1971), as amended, to appear on the ballot in addition to the English version, it shall be as short as possible, as consistent as is practicable with Section 13107, and shall employ abbreviations and initials wherever possible in order to avoid undue length.

### **No Ballot Designation**

A candidate who does not want a ballot designation should indicate this in the space provided for ballot designation on the Declaration of Candidacy, or the space may be left blank. If no designation is given, it will be assumed that none is desired.

## Nomination Paper

<b>WHO FILES:</b>	<b>ALL CANDIDATES</b>
<b>DEADLINE:</b>	<b>March 12, 2010</b>
<b>EXTENSION:</b>	<b>March 17, 2010 if the incumbent who is eligible to file does not file.</b>

All candidates up for election on June 8, 2010 must file a Nomination Paper. The Nomination Paper consists of a petition that must contain anywhere from 20 to 65 valid signatures depending on the office sought. The petition may be obtained and filed prior to filing the Declaration of Candidacy.

The Nomination Paper shall be delivered to the elections official of the county in which the signer resides and is a voter.

No more signers shall be secured for any candidate than the maximum specified. If, however, through miscalculation or otherwise, more signers are secured than the maximum number, the officer with whom the nomination papers are filed shall, with the written consent of the candidate, withdraw the excess number.

Signers shall be voters in the district or political subdivision in which the candidate is to be voted on and shall be affiliated with the party, if any, in which the nomination is proposed.

No signer shall, at the time of signing a certificate, have his or her name signed to any other nomination paper for any other candidate for the same office or, in case there are several places to be filled in the same office, signed to more nomination papers for candidates for that office than there are places to be filled.

The elections official shall transmit to the Secretary of State the nomination document for each candidate for state office, United States Senator, Representative in Congress, and Member of the Senate or Assembly.

(CAEC §§ 8020, 8041, 8062-8070)

## Candidate's Statement of Qualifications

A statement by the candidate describing his or her education and qualifications may be printed in the Voter Pamphlet section of the county Sample Ballot. The statement must be paid for at the time of filing. The statement may be withdrawn by 5 p.m. on the day following the filing deadline.

(CAEC §13307)  
(Govt. Code §§ 85600-85601)

### JUDICIAL, LEGISLATIVE\* and CONGRESSIONAL CANDIDATE STATEMENTS WHERE AND WHEN TO FILE

<b>PERIOD FOR FILING:</b>	<b>February 16* – March 12 by 5 p.m.</b> The statement must be paid for and filed with the Declaration of Candidacy. <div style="text-align: right;">§13307(a)(2)</div>
<b>EXTENDED PERIOD:</b>	If the Nomination filing period is extended, then all persons, other than the incumbent, have until <b>March 17, 5 p.m.</b> in which to file their Candidate's Statement along with their Declaration of Candidacy.
<b>WHERE:</b>	<b>Judicial, Legislative* and Congressional Candidates:</b> San Francisco Department of Elections, Rm. 48, #1 Dr. Carlton B. Goodlett Place, City Hall, San Francisco, CA 94102, 415-554-4375. Candidate's Statements cannot be filed by FAX pursuant to Secretary of State Guidelines.
<b>CONTENTS:</b>	Name, age (optional), occupation (optional), and a brief description of no more than 250 words for legislative and congressional offices and 200 words for judicial offices of the candidate's education and qualifications expressed by the candidate. There shall be no reference made to other candidate's qualifications. See rules following chart. <div style="text-align: right;">§13307(a)(1); §13307.5; §13308</div>
<b>CONFIDENTIALITY:</b>	Statements remain confidential until 5 p.m. on the last day to file. <div style="text-align: right;">§13311</div>
<b>WITHDRAWAL:</b>	Statements may not be changed but may be withdrawn no later than 5 p.m. on <b>March 12</b> . If there is an extended filing time, no later than 5 p.m. on <b>March 17</b> . <div style="text-align: right;">§13307(a)(3)</div>
<b>PAYMENT:</b>	Cost for printing a candidate's statement in the Voter's Information Pamphlet shall be paid at the time of filing the statement with the Declaration of Candidacy. Checks are made payable to the S.F. Department of Elections. See chart for fee. <div style="text-align: right;">§13307(c)</div>

\*Legislative candidates may file a candidate statement upon acceptance of the Voluntary Spending Limits per Proposition 34, see Page 60.



## **CANDIDATE STATEMENT COST**

<b>STATE LEGISLATIVE/FEDERAL OFFICES</b>	
<b>OFFICE</b>	<b>COST OF 250 WORD STATEMENT</b>
State Assembly 12 <sup>th</sup> District	\$ 1052
State Assembly 13 <sup>th</sup> District	\$ 1425
State Senate 8 <sup>th</sup> District	\$ 1052
U.S. Representative in Congress 8 <sup>th</sup> District	\$ 2033
U.S. Representative in Congress 12 <sup>th</sup> District	\$ 444
<b>COUNTY OFFICES</b>	
<b>OFFICE</b>	<b>COST OF 200 WORD STATEMENT</b>
Superior Court Judge	\$ 2477

\* ½ page statement is calculated on printing costs of previous Voter Information Pamphlet. This fee is in addition to the filing fee and is subject to adjustment. Note: Only legislative candidates who accept the voluntary expenditure ceiling may publish a statement of qualification.

If the Candidate's Statement is withdrawn *by 5 p.m. on the next working day after the close of the nomination period (March 12, 2010 or if there is an extension, by March 17, 2010), the fee will be refunded in full.*

### **Candidate Statement Content**

A candidate shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way make reference to other candidate's qualifications, character, or activities. The elections official shall not cause to be printed or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited by this section. (CAEC §§ 13307, 13308)

No statement shall contain any demonstrably false, slanderous or libelous statements (CAEC §13307d).

Candidates for nonpartisan offices only, shall not include the party affiliation of the candidate nor membership or activity in partisan political organizations. (CAEC §13307(a) (1).

### **OVERVIEW**

- ❖ Each candidate for nonpartisan elective office in any local agency, including any city, county, or district as well as candidates for state legislative office who qualify under Proposition 34 may prepare a Candidate's Statement of Qualifications. The Candidate's Statement is designed to acquaint voters with the candidate's qualifications for the office he or she is seeking.
- ❖ The Statement is incorporated into the Voter's Information Pamphlet pages of the Sample Ballot produced by the San Francisco Department of Elections and mailed to all registered voters in the district eligible to vote for that particular candidate.

- ❖ Election materials will only be mailed to those voters who are on the voter rolls 29 days before the election. The voters who submit voter registration cards after this date but by the 15-day registration deadline, will **NOT** receive a Sample Ballot booklet, only a notice advising the late registrant where to vote and that he/she will not receive a Sample Ballot and Voter's Information Pamphlet. (CAEC §9094, 13303)

## ***CANDIDATE STATEMENT FOR COUNTY & STATE LEGISLATIVE OFFICES***

### **Proposition 34**

Under the provisions of Proposition 34 adopted by voters in November of 2000, all candidates for state office in 2010 may agree to abide by voluntary spending limits. Candidates for state legislative office who accept these voluntary spending limits will be afforded the opportunity to purchase space in the sample ballots of each of the counties in the jurisdiction for candidate statement. In order to accept or reject the spending limits legislative candidates must file a Form 501 Candidate Intention Statement with the Secretary of State's Political Reform Division. Candidates who have voluntarily chosen to limit their spending in campaigns for State Senate may spend no more than \$777,000 in the June 8, 2010 Primary Election. Assembly candidates may spend no more than \$518,000 in the June 8, 2010 Primary Election.

Candidates for statewide office may purchase space to place a candidate statement in the state ballot pamphlet, provided that their acceptance of the voluntary spending limits has been timely filed with the Secretary of State.

For additional information on Proposition 34 Contribution and Voluntary Expenditure Limits and FPPC Form 501 highlights, please refer to Pages 60 and 63.

## **CANDIDATE STATEMENT OF QUALIFICATIONS**

### **FORMATTING RULES**

- ✓ **Be accurate.** **Documents will be printed as submitted.** SPELLING, PUNCTUATION, AND GRAMMATICAL ERRORS WILL **NOT** BE CORRECTED BY THE DEPARTMENT OF ELECTIONS.
- ✓ **CAUTION: Please TYPE your candidate statement.** It is strongly recommended that candidate statements of qualifications and supporting documentation not be handwritten or hand-annotated. If the handwriting is illegible or the intended change is unclear, the Department of Elections may need to interpret. In such cases, there is a possibility the candidate statements of qualifications may not be typeset and printed as the candidate intended. Again, handwritten statements invite misinterpretation and errors. Please proofread the statement prior to filing.
- ✓ **DO NOT USE ALL CAPS.** Statements will be rejected if they are typed in all capital letters or if the statement is not readable. Candidates may type their statement on the form provided by the Department of Elections or type it on their own paper, double-spaced only.

- ✓ **DO NOT USE underlining, bold or italicized type or unusual spacing.** The Department of Elections will type-set the candidate statement without special emphasis placed on words or phrases.
- ✓ The Department of Elections encourages candidates to submit an electronic copy (PC format) along with the hard copy to facilitate typesetting. The preferred method is Email to: [publications@sfgov.org](mailto:publications@sfgov.org) or you may submit a cd/disk. If there is a discrepancy between the content of the hard copy and the content in the electronic format, the hard copy content will prevail. Note: One signed hard copy **MUST** be filed by the deadline. Format all text flush left.
- ✓ The heading includes the candidate's name and office sought. The Candidate's Statement will begin with the words: **"My Qualifications are:"** followed by the text filed by the candidate. These words, as well as the heading, are standardized and included in the space provided. The words, however, do not count toward the number of words allowed for the statement.
- ✓ Subheadings and deviations from the standardized heading will not be accepted.
- ✓ The **"Occupation"** field in the Candidate's Statement is NOT governed by the laws and regulations pertaining to the ballot designation that appears underneath the candidate's name on the ballot. Therefore, it may be different from the candidate's ballot designation. However, if its length extends the statement beyond the space provided, the candidate will be charged double to print the statement.

## **Rules for Counting 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.

This section shall not apply to counting words for ballot designations.

***The word count starts after the line "My qualifications are:" Each word is counted as one word except:***

**PUNCTUATION:** Punctuation is not counted.

**CITIES/COUNTIES:** All geographical names shall be counted as one word. Areas that have political boundaries with an elected or appointed board are considered geographic areas by this office. For example, "City and County of San Francisco" shall each be counted as one word. Neighborhoods, such as "Pacific Heights" shall be counted as two words.

**ABBREVIATIONS:** Each abbreviation for a word, phrase, or expression shall be counted as one word.

**HYPHENATIONS:** Hyphenated words that appear in any generally available dictionary shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word. Hyphenated names shall be counted as one word.

- DATES:** Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting of only a combination of digits shall be counted as one word. January 1, 2010 shall be counted as two words, whereas 1/1/08 shall be counted as one word.
- NUMBERS:** Any number consisting of a digit or digits shall be considered as one word. Any number that is spelled, shall be considered as a separate word. "100" shall be counted as one word, whereas "one hundred" shall be counted as two words.
- PHONE & INTERNET:** Website addresses and telephone numbers are one word.

## **OVERLAPPING DISTRICTS**

### **Important notice to candidates in districts that encompass more than one county**

Procedures, requirements, fees, formats and public examination periods for Candidate Statements of Qualification may vary between counties. It is the candidate's responsibility to contact each county (in which he or she wishes to have a statement printed) within the district to obtain the appropriate information from each county. Failure to do so may jeopardize the printing of the candidate's statement.

### **State Legislative Offices**

Candidates' statements shall be filed in the office of the election official of each county within the district in which the candidate wishes a statement to be printed no later than 5:00 p.m. on the 88<sup>th</sup> day prior to the election, or in the event that the nomination period has been extended, until 5:00 p.m. on the 83<sup>rd</sup> day prior to the election.

***It is strongly recommended that the candidate file the statement personally.*** If the statement is filed by someone other than the candidate, that person should have the authority to make corrections or deletions to the statement in the event that errors or an excess number of words are detected prior to filing the statement. Statements received by mail prior to the deadline will be filed provided that they meet the statutory requirements and county policies regarding candidates' statements. Statements may not be changed after filing.

The difference between the estimated costs and the actual costs will either be refunded or billed to the candidate following the election.

## **Public Examination**

Candidates' statements are available for public examination in the county election official's office 10 days prior to submission for printing. During this period any voter of the jurisdiction in which the election is to be held, or the county election official, may seek a writ of mandate or an injunction requiring any or all of the material in the statement to be amended or deleted. Venue for such a proceeding shall be the county in which the statement is filed. If the statement is filed in more than one county, the writ or injunction must be sought in each county in which amendments or deletions to the statement are sought.

## **Code of Fair Campaign Practices**

<b>WHO FILES:</b>	<b>Optional for all candidates</b>
<b>DEADLINE:</b>	<b>March 12, 2010</b>
<b>EXTENSION</b>	<b>March 17, 2010 if the incumbent who is eligible to file does not file</b>

Chapter 855, Statutes of 1982, established a Code of Fair Campaign Practices that may be voluntarily subscribed to by candidates for public office.

The Department of Elections is required to provide each individual who files nomination papers or other papers evidencing intentions to become a candidate for public office with a copy of the provisions of the Chapter and a form on which to subscribe to the code.

**Subscription to the code is voluntary.** Completed forms are to be filed with the Department of Elections and shall be retained for public inspection until 30 days after the election. (CAEC §20400 - 20444)

## **Candidate Intention and Campaign Disclosure Forms**

<b>WHO FILES:</b>	<b>Legislative and Judicial candidates</b>
<b>DEADLINE:</b>	<b>See June or November FPPC filing Schedule</b>

Periodic statements disclosing contributions made to and expenditures made by the candidate or committee must be filed at least once and possibly several times during an election cycle if more than \$1,000 is being raised or spent. See Campaign Disclosure Section on Page 63, June 2010 FPPC Filing Schedule on Page 68 and November 2010 FPPC Filing Schedule on Page 70.

## Statement of Economic Interests (Form 700)

<b>WHO FILES:</b>	<b>All candidates EXCEPT Congressional &amp; Central Committee</b>
<b>DEADLINE:</b>	<b>March 12, 2010</b>
<b>EXTENSION:</b>	<b>March 17, 2010 if the incumbent who is eligible to file does not file</b>

### Disclosure Of Economic Interests Form 700

#### **Who Must File**

State law (the Political Reform Act of 1974) requires candidates for federal, state and county offices to disclose their interests in real property and income within the past 12 months in a Statement of Economic Interests (Form 700) to be filed with the Declaration of Candidacy. (Gov. Code §87200, et. seq.)

**EXCEPTION:** This statement is not required of a candidate who has filed a statement for the same jurisdiction as an officeholder within sixty (60) days prior to assuming office or filing the Declaration of Candidacy. (Gov. Code §87201, 87202)

Candidates for federal offices file under federal rather than state disclosure laws. For information, candidates for U.S. Representatives should write to: Office of the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington D.C., 202-225-1300.

#### **What Must be Disclosed**

Under state law, persons filing economic interests statements as candidates are required to disclose investments and interests in real property and income within the past 12 months. (Gov. Code §87201, 87203)

#### **When and Where to File**

Candidates who must file may obtain forms and instructions from the San Francisco Department of Elections. The Form 700 must be filed with the Department of Elections with the Declaration of Candidacy. Declarations of Candidacy are filed from February 15 to March 12.

**If the statement is filed after the deadline, candidates may be penalized up to \$10 per day up to a maximum of \$100.** Late filing penalties can be reduced or waived under certain circumstances. (Gov. Code §87201, 87500)

#### **Statements Are a Public Record**

Statements of Economic Interests are public record. They may be inspected by anyone and copies may be purchased from the filing officer for 10 cents per 1-sided page. (Gov. Code §81008)

## Miscellaneous Filing Documents

<b>WHO FILES:</b>	<b>All candidates</b>
<b>DEADLINE:</b>	<b>March 12, 2010</b>
<b>EXTENSION:</b>	<b>March 17, 2010 if the incumbent who is eligible to file does not file</b>

The election specific forms are defined below.

### Authorization Form

The candidate allows an individual to obtain or file nomination related documents on the candidate's behalf.

### Authorization of Endorsement to Candidate Statement of Qualifications

The use of the name of an individual or organization on the Candidate's Statement of Qualifications must be in the form of written authorization. An endorser can either sign the Nomination Petition or may submit a separate written authorization.

### Acknowledgement of Requirements for Petition Signatures

Candidate acknowledges his/her understanding of the criteria for returning petition signatures.

### Chinese Characters Name

Authorization to the Department of Elections to use the Chinese Characters submitted by the candidate or allows the Department of Elections to produce the Chinese characters by certified or court appointed transliterators.

### Local Campaign Sign Posting Information

Department of Public Works Regulations

### State Campaign Sign Posting Information

Department of Transportation Requirements

### Permission to Post

Grants or denies permission to post the Qualified Candidate's information on the website under the Qualified Candidate List.

## WRITE-IN CANDIDACY

### *Filing Periods*

Mar. 13 - Mar 22	June Primary Election	Judicial Write-In Campaign*
April 12 – May 25	June Primary Election	All candidates qualified to run except Central Committee
Sept. 7 – Oct 19	November General Election	Independent Candidates

### **\*JUDICIAL WRITE-IN CAMPAIGN**

#### **Write-In Campaign Against Incumbent Judge Running Unopposed**

Candidate must file between March 13 and March 22, a petition indicating that a write-in campaign will be conducted against an unopposed superior court candidate who has filed Nomination Papers. The petition must be signed by 100 registered voters qualified to vote on the respective office. Write-in candidates may then file their Statement of Candidacy and Nomination Papers between April 12 and May 25, 2010. (CAEC §§ 8203, 8600-8604)

## WRITE-IN PROCEDURE

Persons who did not file a Declaration of Candidacy and fulfill their nomination requirements to place their name on the ballot may run for office as a write-in candidate. Write-in votes will be counted and certified in the Statement of Vote only for **qualified write-in candidates** who file the required forms with the Department of Elections no later than 14 days prior to Election Day. The Department of Elections will forward the forms to the Secretary of State in the case of offices that must be certified by the Secretary of State.

Voters may write-in any person they wish for any office regardless of whether the person has qualified or not. However, the votes will only be tabulated for qualified write-in candidates. To qualify as a write-in candidate, a person must file with the Department of Elections the following documents:

- ❖ A **“Statement of Write-in Candidacy”** shall contain the candidate's name, residence address, a declaration stating that he or she is a write-in candidate, the title of the office for which he or she is running and the date of the election. Statement of Write-in Candidacy Form is issued by the Department of Elections.
- ❖ A **“Write-In Nomination Paper”** must contain the requisite number of sponsor signatures required for the office sought. Signers of nomination papers for write-in candidates shall be voters in the district or political subdivision in which the candidate is to be voted on. In addition, if the candidate is seeking a party nomination for an office, the signers shall also be affiliated with the party whose nomination is sought. **No filing fee or charge shall be required of a write-in candidate.** (CAEC §8601-8605)

Write-in candidates are subject to the same requirements as other candidates with regard to disclosure of economic interests and campaign disclosure. (Gov. Code 82007; CAEC §305)

The Department of Elections will provide polling places with a list of **qualified write-in candidates**.



## **Offices Omitted From Ballot**

Prospective write-in candidates should note that write-in candidacy is possible only if the office appears on the ballot. The following offices will be omitted from the ballot if the number of persons qualifying for the ballot does not exceed the number of places to be filled: Superior Court Judges (if only the incumbent files) and County Central Committees. There is provision in the law, however, to require that the offices be placed on the ballot by means of a petition procedure. (CAEC §7228,7423, 7673, 8203; Ed. Code §5326)

## **Additional Requirements for Partisan Offices**

A write-in candidate who wins a party Primary will have his/her name placed on the ballot at the November General Election only if the number of write-in votes received equals or exceeds 1 percent of all votes cast for the office at the last preceding General Election at which the office was filled. There are also minimum vote requirements for the election of write-in candidates to County Central Committees. (CAEC §5005, 8605, 15460, 15470, 15490)

## INDEPENDENT CANDIDATES

The June primary includes partisan contests where voters will nominate a candidate from the seven qualified political parties to appear on the November General Election run-off ballot.

The Independent Nomination provisions of Part 2 of Division 8 of the CAEC, beginning at Section 8300, provide a method for the nomination of non-partisan candidates to partisan public offices. There is no limitation to the number of independent candidates who can be nominated and placed on the ballot at the general election, provided each meets the legal requirements.

### General Information

To be eligible as an independent candidate at the general election, the candidate:

1. Cannot have filed as a partisan candidate at the primary election and have been defeated for the party's nomination at that primary election; and
2. Cannot have been registered to vote in California since October 2, 2009, as being affiliated with a qualified political party (i.e. Democratic, Republican, American Independent, Green, Libertarian or Peace & Freedom). CAEC § 8550(f)

**The number of signatures of qualified registered voters that must appear on the Nomination Papers of persons seeking an independent candidacy is based on the previous general election's registration figures. Depending on the office sought, Nomination Papers require either one percent (for statewide office) or three percent (for other than statewide offices) of the number of registered voters in the election jurisdiction as of October 20, 2008. (CAEC §8400).**

April 23 – July 22, 2010 (E- 193 to E-103)	Signatures-in-lieu (see following page)
August 1, 2010* (E-93)	Elections official to notify the candidate of the number of Signatures-in-lieu submitted that were invalid.
June 7 to August 6, 2010 (E-148 to E-88)	Declaration of Candidacy and Nomination Papers. Candidates who filed signatures-in-lieu and are eligible to file supplemental signatures to cover the deficiency must do so before the close of the nomination period. Candidates may either submit signatures or pay a prorated fee to cover the deficiency. (Elec. Code §8403

**Independent Candidate Filing Fee or Signatures-In-Lieu of Filing Fee  
Required for the November 2, 2010 General Election Ballot**

<b>Office</b>	<b>Salary*</b>	<b>Filing Fee (% of salary)*</b>	<b>In-Lieu Signatures</b>	<b>Value of each Signature</b>
Governor	\$173,987	\$3,480 (2%)	10,000	.35
Lieutenant Governor	\$130,490	\$2,610 (2%)	10,000	.26
Secretary of State	\$130,490	\$2,610 (2%)	10,000	.26
Controller	\$139,190	\$2,784 (2%)	10,000	.28
Treasurer	\$139,190	\$2,784 (2%)	10,000	.28
Attorney General	\$151,127	\$3,023 (2%)	10,000	.30
Insurance Commissioner	\$139,190	\$2,784	10,000	.28
U.S. Senate	\$174,000	\$3,480 (2%)	10,000	.35
Board of Equalization, 1 <sup>st</sup> District	\$130,490	\$1,305 (1%)	5,220	.25
State Senate	\$95,291	\$953 (1%)	1,500	.64
Representative in Congress	\$174,000	\$1,740 (1%)	3,000	.58
Member of Assembly	\$95,291	\$953 (1%)	1,500	.64

**Nomination Signatures Required to Place Independent Candidate on the  
November 2, 2010 General Election Ballot**

<b>Office</b>	<b>Oct. 2008 Voter Registration</b>	<b>Required Signatures* (% of previous general election registration total)</b>
Governor	17,304,091	173,041 (1%)
Lieutenant Governor	17,304,091	173,041 (1%)
Secretary of State	17,304,091	173,041 (1%)
Controller	17,304,091	173,041 (1%)
Treasurer	17,304,091	173,041 (1%)
Attorney General	17,304,091	173,041 (1%)
Insurance Commissioner	17,304,091	173,041 (1%)
U.S. Senate	17,304,091	173,041 (1%)
Board of Equalization, District 1	4,556,841	136,705 (3%)
U.S. Senate	17,304,091	173,041 (1%)
Congressional District 8	389,946	11,698 (3%)
Congressional District 12	366,930	11,008 (3%)
State Senate District 8	477,149	14,314 (3%)
Assembly District 12	232,229	6,967 (3%)
Assembly District 13	275,677	8,270 (3%)

# CALIFORNIA'S PRIMARY SYSTEM

## HISTORY

In 1996, voters passed Proposition 198 that established a "blanket" primary in California. Under a "blanket" primary, every voter regardless of political party affiliation is eligible to vote on any candidate for federal and state partisan offices. This system replaced California's "closed" primary system where voters had to be registered with a political party in order to vote for candidates from their political party who were seeking nomination to the partisan federal and state.

## COURT RULING

The courts ruled that California's "blanket" primary was unconstitutional, so the system returned to a "closed" primary system. However, under current law, SB 28 (Peace) Statutes of 2001, voters who are not registered with a qualified political party, may vote a ballot for a qualified political party if that party has adopted rules allowing nonpartisan voters to vote their ballot. This has become known as a "modified" closed primary.

## THE JUNE 2010 PRIMARY

At the time of this printing, the June 2010 Primary will be conducted just like the June 2008 Primary election. Therefore, voters who are registered with the Democratic Party, may **ONLY** vote a Democratic ballot. If voters are registered with the Republican Party, they may **ONLY** vote a Republican ballot. And, the same goes for the other qualified political parties: American Independent, Green, Libertarian, and Peace and Freedom.

**HOWEVER**, if voters are not affiliated with a qualified political party, they may request and vote a ballot for a qualified political party who has adopted rules, duly noticed to the Secretary of State, allowing unaffiliated voters to vote their ballot. The notice must be provided to the Secretary of State by January 25, 2010, which is 135 days prior to the election. (E-135 falls on a Sunday, so the deadline is moved to the next business day). The county elections official shall maintain a record of which political party's ballot was requested by each unaffiliated voter, or whether a nonpartisan ballot was requested, by each person who declined to state a party affiliation. The record shall be made available to any person or committee who is authorized to receive copies of the printed indexes of registration for primary and general elections pursuant to Section 2184. (§13102 (c))

Call the Department of Elections at 415-554-4375 for updated information.

# CAMPAIGN PRACTICES

## USE OF PUBLIC RESOURCES

### (Gov. Code §8314 (a))

It is unlawful for any elected state or local officer, including any state or local appointee, employee, or consultant, to use or permit others to use public resources for a campaign activity, or personal or other purposes which are not authorized by law.

(b) For purposes of this section:

- (1) "Personal purpose" means those activities the purpose of which is for personal enjoyment, private gain or advantage, or an outside endeavor not related to state business. "Personal purpose" does not include the incidental and minimal use of public resources, such as equipment or office space, for personal purposes, including a occasional telephone call.
- (2) "Campaign activity" means an activity constituting a contribution as defined in Section 82015 or an expenditure as defined in Section 82025. "Campaign activity" does not include the incidental and minimal use of public resources, such as equipment or office space, for campaign purposes, including the referral of unsolicited political mail, telephone calls, and visitors to private political entities.
- (3) "Public resources" means any property or asset owned by the state or any local agency, including, but not limited to, land, buildings, facilities, funds, equipment, supplies, telephones, computers, vehicles, travel, and state-compensated time.
- (4) "Use" means a use of public resources which is substantial enough to result in a gain or advantage to the user or a loss to the state or any local agency for which a monetary value may be estimated.

- (c) (1) Any person who intentionally or negligently violates this section is liable for a civil penalty not to exceed one thousand dollars (\$1,000) for each day on which a violation occurs, plus three times the value of the unlawful use of public resources. The penalty shall be assessed and recovered in a civil action brought in the name of the people of the State of California by the Attorney General or by any district attorney or any city attorney of a city having a population in excess of 750,000. If two or more persons are responsible for any violation, they shall be jointly and severally liable for the penalty.
- (2) If the action is brought by the Attorney General, the moneys recovered shall be paid into the General Fund. If the action is brought by a district attorney, the moneys recovered shall be paid to the treasurer of the county in which the judgment was entered. If the action is brought by a city attorney, the moneys recovered shall be paid to the treasurer of that city.
- (3) No civil action alleging a violation of this section may be commenced more than four years after the date the alleged violation occurred.

(d) Nothing in this section shall prohibit the use of public resources for providing information to the public about the possible effects of any bond issue or other ballot measure on state activities, operations, or policies, provided that (1) the informational activities are otherwise authorized by the constitution or laws of this state, and (2) the information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

(e) The incidental and minimal use of public resources by an elected state or local officer, including any state or local appointee, employee, or consultant, pursuant to this section shall not be subject to prosecution under Section 424 of the Penal Code.

## **MASS MAILING**

### **Mass mailing; requirements**

#### **(Gov. Code §84305)**

Each candidate filing a Declaration of Candidacy is to be apprised of Government Code §84305, which is produced here for your information:

a) Except as provided in subdivision (b) no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type which shall be in a color or print which contrasts with the background as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.

b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

### **Mass mailing definition (Gov. Code §82041.5)**

"Mass Mailing" means over two hundred substantially similar pieces of mail, but does not include a form letter or other mail that is sent in response to an unsolicited request, letter or other inquiry.

### **Mass mailing by incumbents (Gov. Code §89001)**

No newsletter or other mass mailing shall be sent at public expense.

## **SLATE MAILERS**

### **Slate mailer definition (Gov. Code §82048.3)**

"Slate Mailer" means a mass mailing that supports or opposes a total of four or more candidates or ballot measures.

### **Slate mailer organization (Gov. Code §82048.4)**

a) "Slate mailer organization" means, except as provided in subdivision (b), any person who, directly or indirectly, does all of the following:

- 1) Is involved in the production of one or more slate mailers and exercises control over the selection of the candidates and measures to be supported or opposed in slate mailers.
- 2) Receives or is promised payments totaling \$500 or more in a calendar year for the production of one or more slate mailers.

b) Notwithstanding subdivision (a), a slate mailer organization shall not include any of the following:

- 1) A candidate or officeholder or a candidate's or officeholder's controlled committee.
- 2) An official committee of any political party.
- 3) A legislative caucus committee.
- 4) A committee primarily formed to support or oppose a candidate, officeholder, or ballot measure.

c) The production and distribution of slate mailers by a slate mailer organization shall not be considered making contributions or expenditures for purposes of subdivision (b) or (c) of §82013. If a slate mailer organization makes contributions or expenditures other than by producing or distributing slate mailers, and it reports those contributions and expenditures pursuant to §84218 and 84219, no additional campaign reports shall be required of the slate mailer organization pursuant to §84200 or 84200.5.

## **Slate mailer requirements (Gov. Code §84305.5)**

a) No slate mailer organization or committee primarily formed to support or oppose one or more ballot measures shall send a slate mailer unless:

1) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures are shown on the outside of each piece of slate mail and on at least one of the inserts included with each piece of slate mail in no less than 8-point Roman type which shall be in color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the street address of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures is a matter of public record with the Secretary of State's Political Reform Division.

2) At the top or bottom of the front side or surface of at least one insert or at the top or bottom of one side or surface of a postcard or other self-mailer, there is a notice in at least 8-point Roman, boldface type, which shall be in a color or print which contrasts with the background so as to be easily legible, and in a printed or drawn box and set apart from any other printed matter. The notice shall consist of the following statement:

### **NOTICE TO VOTERS**

**THIS DOCUMENT WAS PREPARED BY** (insert name of slate mailer organization or committee primarily formed to support or oppose one or more ballot measures), **NOT AN OFFICIAL POLITICAL PARTY ORGANIZATION.** Appearance in this mailer does not necessarily imply endorsement of others appearing in this mailer, nor does it imply endorsement of, or opposition to, any issues set forth with this mailer. Appearance is paid for and authorized by each candidate and ballot measure which is designated by an \*.

3) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures as required by paragraph (1) and the notice required by paragraph (2) may appear on the same side or surface of an insert.

4) Each candidate and each ballot measure that has paid to appear in the slate mailer is designated by an \*. Any candidate or ballot measure that has not paid to appear in the slate mail is not designated by an \*. The \* required by this subdivision shall be of the same type size, type style, color or contrast, and legibility as is used for the name of the candidate or the ballot measure name or number and position advocated to which the \* designation applies except that in no case shall the \* be required to be larger than 10-point boldface type. The designation shall immediately follow the name of the candidate, or the name or number and position advocated on the ballot measure where the designation appears in the slate of candidates and measures. If there is no slate listing, the designation shall appear at least once in at least 8-point boldface type, immediately following the name of the candidate, or the name or number and position advocated on the ballot measure.

5) The name of any candidate appearing in the slate mailer who is a member of a political party differing from the political party which the mailer appears by representation or indicia to represent is accompanied, immediately below the name, by the party designation of the candidate, in no less than 9-point Roman type which shall be a color or print that contrasts with the background so as to be easily legible. The designation shall not be required in the case of candidates for nonpartisan office.

b) For purposes of the designations required by paragraph (4) of subdivision (a), the payment of any sum made reportable by subdivision (c) of §84219 by or at the behest of a candidate or committee, whose name or position appears in the mailer, to the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures, shall constitute a payment to appear, requiring the \* designation. The payment shall also be deemed to constitute authorization to appear in the mailer. (Added by Stats.2004) (See the Information Manual F issued by the Fair Political Practices Commission for campaign disclosure reporting requirements in connection with slate mailers.)



## **NOMINATIONS**

### **Fictitious name to nomination petition (Elections Code §18200)**

Every person who subscribes to any nomination petition a fictitious name, or who intentionally subscribes thereto the name of another, or who causes another to subscribe a fictitious name to a nomination petition, is guilty of a felony and is punishable by imprisonment in the state prison for 16 months or two or three years.

### **Defacing or destroying a nomination paper (Elections Code §18201)**

Any person who falsely makes or fraudulently defaces or destroys all or any part of a nomination paper, is punishable by a fine not exceeding \$1,000 or by imprisonment in the state prison for 16 months or two or three years or by both the fine and imprisonment.

### **Deliberate failure to file nomination paper (Elections Code §18202)**

Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and the proper place any nomination paper or declaration of candidacy in his or her possession that is entitled to be filed under this code.

### **False declaration of candidacy (Elections Code §18203)**

Any person who files or submits for filing a nomination paper or declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine not exceeding \$1,000 or by imprisonment in the state prison for 16 months or two or three years or by both such fine and imprisonment.

### **Suppression of nomination paper (Elections Code §18204)**

Any person who willfully suppresses all or any part of a nomination paper or declaration of candidacy either before or after filing is punishable by a fine not exceeding \$1,000 or by imprisonment in the state prison for 16 months or two or three years or by both the fine and imprisonment.

### **Paying candidates to withdraw (Elections Code §18205)**

A person shall not directly or through any other person advance, pay, solicit, or receive or cause to be advanced, paid, solicited, or received any money or other valuable consideration to or for the use of any person in order to induce a person not to become or to withdraw as a candidate for public office. Violation of this section shall be punishable by imprisonment in the state prison for 16 months or two or three years.

## **CAMPAIGN LITERATURE**

### **Use of Seal in Campaign Literature (Elections Code §18304)**

Any person who uses or allows to be used any reproduction or facsimile of the seal of the county or the seal of a local government agency in any campaign literature or mass mailing, as defined in Section 82041.5 of the Government Code, with intent to deceive the voters, is guilty of a misdemeanor.

(b) For purposes of this section, the use of a reproduction or facsimile of a seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by a public official is evidence of intent to deceive.

(c) For purposes of this section, the term "local government agency" means a school district, special or other district, or any other board, commission, or agency of local jurisdiction.

## **MISREPRESENTATION BY CANDIDATES**

### **Misleading of voters; incumbency; public officer (Elections Code §18350)**

Every person is guilty of a misdemeanor who, with intent to mislead the voters in connection with his or her campaign for nomination or election to a public office or in connection with the campaign or another person for nomination or election to a public office, shall do either of the following acts:

- a) Assume, pretend, or imply, by his or her statements or conduct, that he or she is the incumbent of a public office when that is not the case.
- b) Assume, pretend, or imply, by his or her statements or conduct, that he or she has been acting in the capacity of a public officer when that is not the case. Any violation of this section may be enjoined in a civil action brought by any candidate for the public office involved.

### **False statements in candidate statement; fine (Elections Code §18351)**

Any candidate in an election or incumbent in a recall election who knowingly makes a false statement of a material fact in a candidate's statement, prepared pursuant to §11327 or 13307, with the intent to mislead the voters in connection with his or her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed \$1,000.

### **Representation requirements (Elections Code §20007)**

No candidate or committee in his or her behalf shall represent in connection with an election campaign either orally or in campaign material, that the candidate has the support of a committee or organization that includes as part of its name the name or any variation upon the name of a qualified political party with which the candidate is not affiliated, together with the words "county committee," "central committee," "county," or any other term that might tend to mislead the voters into believing that the candidate has the support of that party's county central committee or state central committee, when that is not the case.

This section shall not be construed to prevent a candidate or committee from representing that the candidate has the support of a committee or group of voters affiliated with another political party, which committee or group is identified by the name of that party, where the name of the committee or group also includes the name of the candidate. Any member of a central committee or state central committee may commence an action in the superior court to enjoin misrepresentation by a candidate or committee in his or her behalf, in the manner prohibited by this section, to the effect that the candidate has the support of the state or county central committee involved.

## **DECEPTIVE ONLINE ACTIVITIES**

### **"Political cyberfraud" defined (Elections Code §18320)**

(a) This act shall be known and may be cited as the "California Political Cyberfraud Abatement Act."

(b) It is unlawful for a person, with intent to mislead, deceive, or defraud, to commit an act of political cyberfraud.

(c) As used in this section:

- (1) "Political cyberfraud" means a knowing and willful act concerning a political Web site that is committed with the intent to deny a person access to a political Web site, deny a person the opportunity to register a domain name for a political Web site, or cause a person reasonably to believe that a political Web site has been posted by a person other than the person who posted the Website, and would cause a reasonable person, after reading the Website, to believe the site actually represents the views of the proponent or opponent of a ballot measure. Political cyberfraud includes, but is not limited to, any of the following acts:

- (A) Intentionally diverting or redirecting access to a political Web site to another person's Web site by the use of a similar domain name, meta-tags, or other electronic measures.
- (B) Intentionally preventing or denying exit from a political Web site by the use of frames, hyperlinks, mousetrapping, popup screens, or other electronic measures.
- (C) Registering a domain name that is similar to another domain name for a political Web site.
- (D) Intentionally preventing the use of a domain name for a political Web site by registering and holding the domain name or by reselling it to another with the intent of preventing its use, or both.

(2) "Domain name" means any alphanumeric designation that is registered with or assigned by any domain name registrar, domain name registry, or other domain registration authority as part of an electronic address on the Internet.

(3) "Political Web site" means a Web site that urges or appears to urge the support or opposition of a ballot measure.

### **VANDALISM AT POLLING PLACES (Elections Code §18380)**

(a) No person, during any election, shall do any of the following:

- (1) Remove or destroy any of the supplies or other conveniences placed in the voting booths or compartments for the purpose of enabling the voter to prepare his or her ballot.
- (2) Remove, tear down, or deface the cards printed for the instruction of voters.
- (3) Remove, tear, mark or otherwise deface any voter index with the intent to falsify or prevent others from readily ascertaining the name, address, or political affiliation of any voter, or the fact that a voter has or has not voted.
- (4) Remove, tear down, or deface the signs identifying the location of a polling place or identifying areas within 100 feet of a polling place.

(b) Any person who violates any of the provisions of this section is guilty of a misdemeanor.

### **POLLING PLACE INFORMATION**

#### **Campaign Literature Containing Polling Place (Elections Code §18302)**

Every person is guilty of a misdemeanor who knowingly causes to be mailed or distributed, or knowingly mails or distributes, literature to any voter that includes a designation of the voter's precinct polling place other than a precinct polling place listed for that voter in an official precinct polling list that constituted the latest official precinct polling list at sometime not more than 30 days prior to the mailing or distribution.

### **POLITICAL ADVERTISING**

#### **Political advertisement requirements (Elections Code §20008)**

Any paid political advertisement that refers to an election or to any candidate for state or local elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type of lettering of the advertisement or in 10-point Roman type, whichever is larger, the words "Paid Political Advertisement." Such words shall be set apart from any other printed matter.

As used in this section "paid political advertisement" shall mean and shall be limited to published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office.

#### **False or forged campaign materials (Penal Code §115.2)**

No person shall publish or cause to be published, with actual knowledge, and intent to deceive, any campaign advertisement containing false or fraudulent depictions, or false or fraudulent representations, of official public documents or purported official public documents.

For purposes of this section, "campaign advertisement" means any communication directed to voters by means of a mass mailing as defined in 82041.5 of the Government Code, a paid newspaper advertisement, an outdoor advertisement, or any other printed matter, if the expenditures for that communication are required to be reported by Chapter 4 (commencing with 84100) of Title 9 of the Government Code. Any violation of this section is a misdemeanor punishable by imprisonment in the county jail, or by a fine not to exceed \$50,000, or both.

## **POLITICAL SIGNS**

### **Outdoor Political Advertising – State Law**

Section 5405.3 of the State Outdoor Advertising Act (Business & Professions Code) authorizes the placing of "temporary political signs" separate and apart from the normal outdoor advertising controls. No political sign may be placed 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 those that meet the following criteria:

- Encourages a particular vote in a scheduled election;
- Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after the election;
- Is no larger than 32 square feet;
- Has had a "Statement of Responsibility" filed with the State Department of Transportation, Division of Traffic Operations, Outdoor Advertising Program, P.O. Box 94287, MS-36, Sacramento, CA 94274-0001, certifying a person who will be responsible for removing the signs. Forms are available at the Department of Elections. Call (916) 654-6473 for more information.

The law directs the Department of Transportation to remove signs that do not comply with the regulations before an election and to bill the responsible party for removal costs after the election. Penal Code Sections 556, 556.1 and 556.3 provide that it is a misdemeanor for any person to place a sign to advertise on public or private property (without consent); and that it shall be considered a public nuisance. Pursuant to a County Counsel opinion dated April 18, 1994, utility poles are the property of the private utility company and the posting of political signs on them may be prosecuted as a misdemeanor. Furthermore, the Public Utility Commission may impose a fine for such unauthorized posting.

### **Outdoor Political Advertising—San Francisco City & County Code**

You will be given a copy of San Francisco's Sign Ordinance (MPC Section 675-677.4). Listed below are some of the major violations and pitfalls that Public Works enforcement personnel encounter during election time:

- Political signs on traffic signals
- Signs, posted on utility poles in non-commercial areas, that are too wide and do not conform to pole shape
- Candidates losing track of locations and making no provisions with installers to remove signs after the election
- No posting date on signs
- Failing to differentiate between commercial and non-commercial areas

For more information regarding outdoor political advertising, please call the Department of Public Works, Bureau of Street Use and Mapping at 415-554-5810.

### **Removal of Political Signs**

If the political signs are not removed within 10 days after the election, an enforcement action could be pursued in accordance with the enforcement provisions of the San Francisco City & County Code.

# CALIFORNIA CONTRIBUTION LIMITS

**What You Need to Know Before You Contribute – Fast Facts**  
**Printed from the Fair Political Practices Commission's website at**  
<http://www.fppc.ca.gov/bulletin/Contriblimit2008update.pdf>

Candidates seeking a state office and committees that make contributions to state candidates are subject to contribution limits from a single source. Contributions from affiliated entities are aggregated for purposes of the limits. (Regulation 18215.1) The chart below shows the current limits per contributor and type of office sought. The primary, general, special and special run-off elections are considered separate elections.

## Per-election Limits on Contributions to State Candidates

(For elections held on or after January 1, 2009)

Contributor	Legislature	Statewide Except Governor	Governor
Person	\$3,900	\$6,500	\$25,900
Small Contributor Committee	\$7,800	\$12,900	\$25,900
Political Party	No Limit	No Limit	No Limit

## Calendar Year Limits on Contributions to Other State Committees

(2009 and 2010)

Contributor	Committee (Not Political Party) that Contributes to State Candidates	Political Party for State Candidates	Small Contributor Committee	Committee/Political Party Not for State Candidates
Person	\$6,500	\$32,400	\$200	No Limit *

\*State committees (including political parties) may receive contributions in excess of the limits identified above as long as the contributions are NOT used for state candidate contributions. (Regulation 18534)

## Calendar Year Limits on Contributions to State Officeholder Committees

Elected state officeholders may set up officeholder accounts subject to contribution limits specified below.

Contributor	Legislature	Statewide Except Governor	Governor
ANY SOURCE Person, Small Contributor Committee or Political Party	\$3,200	\$5,400	\$21,500
	Legislature	Statewide Except Governor	Governor
Aggregate From ALL Sources	\$53,800	\$107,500	\$215,000

**Legal Defense Funds**

Contributions raised for a legal defense fund are not subject to contribution limits or the voluntary expenditure ceiling. However, a candidate or officeholder may raise, in total, no more than is reasonably necessary to cover attorney's fees and other legal costs related to the proceeding for which the fund is created. (Section 85304)

**Recall Elections**

A state officeholder who is the subject of a recall may set up a separate committee to oppose the qualification of the recall measure and, if the recall petition qualifies, the recall election. Neither contribution limits nor voluntary expenditure ceilings apply to the committee to oppose the recall that is controlled by the officeholder who is the target of the recall attempt. Candidates running to replace an officeholder who is the target of a recall are subject to the contribution limits and the expenditure limits applicable to the election for that office. (Section 85315; Regulation 18531.5)

**Ballot Measure Committees**

Contributions to ballot measure committees controlled by a candidate for elective state office are not limited. For additional information, see Contributions from State Candidates and Officeholders.

**Contributions from State Candidates and Officeholders**

A state candidate or state officeholder may not contribute more than \$3,900 to a committee controlled by another state candidate or state officeholder (including a state or local election committee, legal defense fund, officeholder account, recall committee, or ballot measure committee). This limit applies on a per election basis and includes, in the aggregate, contributions made from the candidate's or officeholder's personal funds and from campaign funds. (Section 85305; Regulation 18535)

**Communications Identifying State Candidates**

Any committee that makes a payment or a promise of payment totaling \$50,000 or more for a communication that:

1. Clearly identifies a state candidate; but
2. Does not expressly advocate the election or defeat of the candidate; and
3. Is disseminated, broadcast, or otherwise published within 45 days of an election, may not receive a contribution from any single source of more than \$32,400 in a calendar year if the communication is made at the behest of the candidate featured in the communication. (Section 85310.)

**Contributions from State Lobbyists**

A state lobbyist may not contribute to a state officeholder's or candidate's committee if the lobbyist is registered to lobby the agency of the elected officer or the agency to which the candidate is seeking election. The lobbyist also may not contribute to a local committee controlled by any such state candidate. (Section 85702; Regulation 18572.)

**Contribution Limits for Local Candidates and Committees**

Check with the pertinent local jurisdiction for information regarding limits imposed by a local campaign ordinance.

## Expenditure Ceilings

Using the formula specified in Regulation 18544, the Commission has established the following voluntary expenditure ceilings for elections held on or after January 1, 2009:

### Voluntary Expenditure Ceilings for Candidates for Elective State Offices

OFFICE	PRIMARY / SPECIAL ELECTION	GENERAL / SPECIAL RUNOFF ELECTION
Assembly	\$518,000	\$906,000
Senate	\$777,000	\$1,165,000
Governor	\$7,768,000	\$12,946,000
Lt. Governor, Attorney General, Insurance Commissioner, Controller, Secretary of State, Superintendent of Public Instruction, Treasurer	\$5,178,000	\$7,768,000
Board of Equalization	\$1,295,000	\$1,942,000

### **Voluntary Expenditure Ceilings for Candidates for Elective State Offices**

Printed from the Fair Political Practices Commission's website at [www.fppc.ca.gov](http://www.fppc.ca.gov)

(For elections held on or after January 1, 2009)

# CAMPAIGN DISCLOSURE REQUIREMENTS

All candidates for state and local office are required to file campaign disclosure statements. Additionally, any committee formed to support or oppose a candidate or ballot measure is required to file campaign disclosure statements.

## **Campaign Disclosure Information Manuals**

The Fair Political Practices Committee (FPPC) prepares campaign disclosure information manuals that provide information on who must file, when campaign statements must be filed, where statements are to be filed, etc. Current forms and manuals are available at the Department of Elections or may be downloaded from the FPPC website at <http://www.fppc.ca.gov>, or the Secretary of State's website at <http://www.ss.ca.gov/prd/prd.htm>. Candidates or committees must check to be sure they are using the correct manual and addendum, if any.

- **Manual 1** is for candidates and officeholders for state offices and their controlled campaign committees. As well for state primary formed committees.
- **Manual 2** is for local candidates, Superior Court Judges, their controlled committees, and primarily formed committees for local candidates.
- **Manual 3** is for recipient committees formed to support or oppose the qualification or passage of a state or local ballot measure.
- **Manual C** is for general purpose committees including political committees and broad based political committees.

## **Candidate Intention Statement (501)**

FPPC Form 501 applies only to **candidates** who want to raise or spend money. Form 501 does not apply to Political Action Committees (PACS), Independent Political Committees, or Broad Based Political Committees. The form is available from the S.F. Department of Elections or on the internet at [www.fppc.ca.gov](http://www.fppc.ca.gov). Once filed with the Secretary of State, the Form 501 is public information.

## **Amending or changing Form 501**

You may amend the Form 501 to change your acceptance or rejection of the voluntary expenditure ceiling only under the following circumstances:

- Between the date of filing an initial Form 501 for an election and the deadline for filing nomination papers for that election, you may amend your statement of acceptance or rejection of the voluntary expenditure ceiling no more than two times.
- If you reject the voluntary expenditure ceiling in the primary or special election but do not exceed the ceiling during that election, you may amend the Form 501 to accept the expenditure ceiling for the general or special runoff election and receive all of the benefits accompanying the acceptance of the expenditure ceiling. The amended Form 501 must be filed within 14 days following the primary or special election.

All candidates for state constitutional and legislative offices, who raise or spend \$50,000 or more, must file their contribution and expenditure disclosure statements electronically and on paper. Logon instructions and approved electronic filing vendors are posted on the Political Reform Division's page on the Secretary of State's website at <http://www.sos.ca.gov/prd/prd.htm>. Candidates may also call the Political Reform Division for applicable contribution and spending limits as well as the latest online/electronic filing requirements.



## **Campaign Disclosure Forms**

Below is a partial list of the most commonly used Fair Political Practices Commission campaign disclosure forms and a brief explanation of the appropriate usage. Candidates for federal offices file with the Federal Elections Commission. ***Please note that the list below has been tailored for the purposes of this Candidate Guide only and “Where to File” is specific to Candidates whose registered domicile is San Francisco.***

FORM	DESCRIPTION	WHO FILES	WHERE TO FILE
501	<p><b>Candidate Intention Statement.</b></p> <p>A candidate must file this form prior to the solicitation or receipt of any contribution, or expenditure of any personal funds used for this election.</p> <p>Candidates must file a separate Form 501 for each election, reelection to the same office or run-off election..</p> <p>Candidates for state offices must indicate on Part 2 of the Form 501 that they either accept or do not accept expenditure limits pursuant to Proposition 34.</p> <p><b>Exception:</b> 501 is not required if you will not solicit or receive contributions from other persons and the only expenditures will be from your personal funds used for the filing fee and/or candidate statement of qualifications in the sample ballot.</p>	State Legislative and Judicial Candidates	Original + 1 copy to Secretary of State and 1 copy to SF Dept of Elections;
410	<p><b>Statement of Organization &amp; Termination.</b></p> <p>For recipient committees receiving contributions of \$1,000 or more – including personal funds.</p> <p>Must be filed within 10 days of receiving \$1,000 or more and may be filed prior to receiving \$1,000. Upon receipt, the Secretary of State will issue an identification number that must be included on all campaign disclosure forms.</p> <p><b>Candidate Controlled Committees:</b> The name for all state and local committees <b>established for an election held after January 1, 2009</b>, must include the <b>candidate’s name, office sought and year of the election</b>. This is required even if the committee was formed before the amendment to Regulation 18402 became effective. The district number or name of the city or county is not required. Examples of committee names are “Jones for Council 2010” and “Smith for Assembly 2010”. (See FPPC Regulation 18402.)</p>	State Legislative and Judicial Candidates	Original + 1 copy with the Secretary of State and file 1 copy with SF Dept. of Elections

FORM	DESCRIPTION	WHO FILES	WHERE TO FILE
450	<p><b>Recipient Committee Campaign Disclosure Statement – Short Form.</b></p> <p>For non-controlled recipient committees formed to support or oppose candidates or measures. File if you have not received a contribution of \$100 or more from a single source; have not received any other payment of \$100 or more; have no outstanding loans made or received and have no unpaid bills.</p>	State Legislative and Judicial	Original + 1 copy to SOS; 2 copies w/county w/most voters (state leg. only); 1 copy to SF Dept of Elections
460	<p><b>Consolidated Campaign Disclosure Form. Recipient Committee Campaign Statement</b></p> <p>The form 460 is for use by ALL recipient committees, including: Candidates, Officeholders and Their Controlled Committees, Primarily Formed Ballot Measure Committees, Primarily Formed Candidate /Officeholder Committees and General Purpose Committees. An amendment box is provided to identify amended filings.</p> <p>Form 460 is used by state and local recipient committees that have filed a Form 410 and have raised or spent \$1,000 or more in a calendar year. State Legislative File original and 1 copy with SOS;</p>	State Legislative and Judicial	Original + 1 copy to SOS; 2 copies w/county w/most voters (state leg. only); 1 copy to SF Dept of Elections
465	<p><b>Supplemental Independent Expenditure Report.</b></p> <p>Used to provide supplemental disclosure information in the jurisdiction of an election in which the filer has made “independent expenditures” totaling \$1000 or more to support or oppose a single candidate, a single measure, or the qualification of a single measure.</p>	All	Original + 1 copy to SOS; 2 copies w/county w/most voters (state leg. only); 1 copy to SF Dept of Elections
470	<p><b>Officeholder &amp; Candidate Campaign Statement – Short Form.</b></p> <p>Officeholders &amp; candidates who do not have a controlled committee and do not anticipate spending or receiving \$1,000 or more (including personal funds)</p>	State Legislative and Judicial	Original + 1 copy to SOS; 2 copies w/county w/most voters (state leg. only); 1 copy to SF Dept of Elections

FORM	DESCRIPTION	WHO FILES	WHERE TO FILE
<b>470</b> Suppl.	<b>Officeholder, Candidate &amp; Controlled Committee Campaign Statement – Supplement.</b> An officeholder or candidate who has filed Form 470 in connection with an election and subsequently receives contributions totaling \$1,000 or more is required to send written notification. The Form 470 Supplement may be used or personal written notification following similar format.	Applies to all candidates	Must be filed within 48 hours of reaching \$1,000 limit with: - the Secretary of State, - the local filing officer with whom the candidate is required to file originals of his/her campaign statements, and - each candidate seeking the same office.  Must be sent by telegram, guaranteed overnight mail, FAX or personal delivery. <b>Regular mail may not be used.</b>
<b>496</b>	<b>Late Independent Expenditure Report</b> Any independent expenditure that totals in the aggregate \$1,000 or more, supports or opposes a single candidate or measure; and is made during the 16 days immediately preceding the election in which the candidate or measure supported or opposed is to be voted upon. <b>File within 24 hours of making expenditure.</b>	State Legislative and Judicial	Original + 1 copy to SOS; 2 copies w/county w/most voters (state leg. only); 1 copy to SF Dept of Elections
<b>496</b>	<b>Late Contribution Report</b> Includes any contribution, including a loan, which totals in the aggregate from a single source \$1,000 or more and is made for or against any specific candidate or measure involved in an election before the date of the election but after the closing date of the last campaign statement required to be filed prior to the election by the candidate or by a committee primarily formed to support or oppose the measure. Revision adds a requirement that each report include the date and a report number, as well as an amendment identifier.  <b>File within 24 hours of making contribution.</b>	State Legislative and Judicial	Original + 1 copy to SOS; 2 copies w/county w/most voters (state leg. only); 1 copy to SF Dept of Elections

### **Independent Expenditure Committees / Slate Mailer Organizations**

The Fair Political Practices Commission also provides the following information manuals:

- **Manual F** is for Slate Mailer Organizations

There are additional forms and requirements for these committees and organizations. Please see the Department of Elections for more information or you may obtain these from [www.fppc.ca.gov](http://www.fppc.ca.gov).

## **Campaign Disclosures for Federal Candidates**

Provisions of the Political Reform Act do not apply to elections for federal offices, including U.S. Senate and U.S. Representative in Congress. Candidates for federal offices and committees that participate in federal campaigns are subject to federal disclosure requirements. Assistance for federal candidates and committees may be obtained from the:

**Federal Election Commission**  
**999 E Street, N.W.**  
**Washington, D.C. 20463**  
**800-424-9530**

### **Filing is the Responsibility of the Candidate and/or Committee**

It is the responsibility of candidates and/or committees to be aware of and to file the required campaign disclosure statements in a correct and timely manner.

### **Multiple Committee Filing Requirements**

Whenever a candidate or officeholder has more than one committee, whether the committees are formed for the same office, or a different office in the same jurisdiction, all committees must file statements each time a committee statement is due.

Whenever an elected officeholder in one jurisdiction runs for an elected office in another jurisdiction, the officeholder and all committees he/she controls must file campaign disclosure statements with the filing officer in the jurisdiction in which the officeholder holds office **AND** in which the officeholder is seeking office.

**Fair Political Practices Commission**  
**Candidates for Local Office (Including Superior Court Judges)**  
**Committees Primarily Formed to Support/Oppose Local Candidates**  
**Committees Primarily Formed to Support/Oppose Local Measures**  
**Being Voted on June 8, 2010**

<b>Deadline</b>	<b>Period</b>	<b>Form</b>	<b>Notes</b>
<b>Feb 1, 2010</b> <i>Semi-Annual</i>	1/1/09 or 7/1/09 - 12/31/09	<a href="#">460</a>	<ul style="list-style-type: none"> <li>File personal delivery or first class mail.</li> <li>The January 31 deadline falls on Sunday, so the deadline is extended to the next business day.</li> </ul>
<b>Mar 22, 2010</b> <i>Pre-Election</i>	1/1/10 - 3/17/10	<a href="#">460</a>	<ul style="list-style-type: none"> <li>File personal delivery or first class mail.</li> </ul>
<b>May 27, 2010</b> <i>Pre-Election</i>	3/18/10 - 5/22/10	<a href="#">460</a>	<ul style="list-style-type: none"> <li>File personal delivery or guaranteed overnight service only.</li> </ul>
<b>Within 24 Hours</b> <i>Late Reports</i>	5/23/10 - 6/7/10	<a href="#">496</a> <a href="#">497</a>	<ul style="list-style-type: none"> <li>File personal delivery, guaranteed overnight service, or fax.</li> <li>496: File if independent expenditures of \$1,000 or more are made. See note below. <b>Do not file for expenditures on your committee's behalf.</b></li> <li>497: File if a contribution of \$1,000 or more is received.</li> <li>497: File if a contribution of \$1,000 or more is made to <i>another</i> candidate or <i>another</i> measure being voted on June 8 or made to a political party committee.</li> <li>The recipient of a late in-kind contribution must file a late contribution report within 48 hours from the time the in-kind or non-monetary contribution is received.</li> </ul>
<b>Aug 2, 2010</b> <i>Semi-Annual</i>	5/23/10 - 6/30/10	<a href="#">460</a>	<ul style="list-style-type: none"> <li>Personal delivery or first class mail</li> <li>The July 31 deadline falls on Saturday, so the deadline is extended to the next business day.</li> </ul>

- **Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- A controlled committee of a candidate may not make an independent expenditure to support or oppose another candidate.
- Local jurisdictions may impose contribution limits and additional filing requirements.
- **Primarily Formed Ballot Measure Committees:** Prior to the semi-annual period in which the measure(s) supported or opposed is being voted on, committees must file quarterly campaign statements in addition to semi-annual statements. Following the election, quarterly statements may also be required. Contact the FPPC for specific information.
- **Form 470:** Candidates that did not have a committee or raise/spend \$1,000 in 2009, may file Form 470 on February 1, 2010. Form 470 can not be filed for other deadlines if the candidate has a committee or has raised/spent \$1,000 or more in 2010. After filing a Form 470, if the candidate raises/spends \$1,000 or more in 2010, see *Campaign Manual 2*, Chapter 4 for additional required filings.
- **Candidates:** Contact the FPPC for revised reporting deadlines in the event of a runoff election. After an election, reporting requirements will depend on whether the candidate is successful and whether a campaign committee is maintained.
- **Late Statements:** Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, filing deadlines may not be extended. Late statements are subject to a \$10 per day late fine.
- All statements are public documents. Paper reports may be mailed by first class mail unless otherwise noted.
- For important information refer to [www.fppc.ca.gov](http://www.fppc.ca.gov) and click on the Candidates and Committees section. Use [Campaign Manual 2](#) and [Campaign Manual 3](#).

**Fair Political Practices Commission  
Filing Schedule for Non-Electronic Filers  
Candidates for State Office &  
Committees Primarily Formed to Support/Oppose Candidates for State Office  
Being Voted on June 8, 2010**

<b>Deadline</b>	<b>Period</b>	<b>Form</b>	<b>Notes</b>
<b>Feb 1, 2010</b> <i>Semi-Annual</i>	<b>7/1/09 - 12/31/09</b>	<a href="#"><u>460</u></a>	<ul style="list-style-type: none"> <li>File by personal delivery or first class mail.</li> <li>The January 31 deadline falls on Sunday, so the deadline is extended to the next business day.</li> </ul>
<b>Mar 22, 2010</b> <i>Pre-Election</i>	<b>1/1/10 - 3/17/10</b>	<a href="#"><u>460</u></a>	<ul style="list-style-type: none"> <li>File by personal delivery or first class mail.</li> </ul>
<b>May 27, 2010</b> <i>Pre-Election</i>	<b>3/18/10 - 5/22/10</b>	<a href="#"><u>460</u></a>	<ul style="list-style-type: none"> <li>File by personal delivery or guaranteed overnight service only.</li> </ul>
<b>Within 24 Hours</b> <i>Late Reports</i>	<b>5/23/10 - 6/7/10</b>	<a href="#"><u>496</u></a> <a href="#"><u>497</u></a>	<ul style="list-style-type: none"> <li>File by personal delivery, guaranteed overnight service, or fax.</li> <li>496: File if independent expenditures of \$1,000 or more are made. See note below.</li> <li>497: File if a contribution of \$1,000 or more is received.</li> <li>497: File if a contribution is made in connection with <i>another</i> candidate or measure listed on the June 8 ballot or to a political party committee.</li> <li>The recipient of a late in-kind contribution must file a late contribution report within 48 hours from the time the in-kind or non-monetary contribution is received.</li> </ul>
<b>Aug 2, 2010</b> <i>Semi-Annual</i>	<b>5/23/10 - 6/30/10</b>	<a href="#"><u>460</u></a>	<ul style="list-style-type: none"> <li>The July 31 deadline falls on Saturday, so the deadline is extended to the next business day.</li> </ul>

- **Electronic Filing:** Please see filing schedule for e-filing if, since January 1, 2000, contributions are received or expenditures are made totaling \$50,000 or more. For more information, visit the Secretary of State's website at [www.sos.ca.gov](http://www.sos.ca.gov).
- **Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **Prohibition on Candidate Independent Expenditures:** A controlled committee may not make independent expenditures to support or oppose candidates and may not contribute to another committee for the purpose of making independent expenditures to support or oppose other candidates.
- **Contribution Limits:** Contributions to state candidates and to committees that make contributions to state candidates are subject to contribution limits. Some committees that feature state candidates in advertisements are also subject to contribution limits.
- **Late Statements:** Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, filing deadlines may not be extended. Late statements are subject to a \$10 per day late fine.
- All statements are public documents. Paper filings may be sent by first class mail unless otherwise noted.
- For important information refer to [www.fppc.ca.gov](http://www.fppc.ca.gov) and click on the [Candidates and Committees section](#). Use [Campaign Manual 1](#).

**Fair Political Practices Commission  
Filing Schedule for Electronic Filers (E-Filers)  
Candidates for State Office  
Committees Primarily Formed to Support/Oppose Candidates for State Office  
Being Voted on June 8, 2010**

<b>Deadline</b>	<b>Period</b>	<b>Form</b>	<b>Notes</b>
<b>Within 10 Business Days</b> <i>\$5,000 Report</i>	<b>Ongoing-</b> File any time other than 90-day election cycle	497	<ul style="list-style-type: none"> <li>Online only – no paper filing.</li> <li>File if a contribution of \$5,000 or more from a single source is received at any time other than the 90-day election cycle, including after the election.</li> <li>This report is not required for committees primarily formed to support or oppose state candidates.</li> </ul>
<b>Feb 1, 2010</b> <i>Semi-Annual</i>	<b>7/1/09 - 12/31/09</b>	460	<ul style="list-style-type: none"> <li>Online and paper filing.</li> <li>The January 31 deadline falls on Sunday, so the deadline is extended to the next business day.</li> </ul>
<b>Within 24 Hours</b> <i>90-Day Election Cycle Report</i>	<b>3/10/10 - 6/8/10</b>	496 497	<ul style="list-style-type: none"> <li>Online only – no paper filing.</li> <li>496: File if an independent expenditure of \$1,000 or more is made. See note below.</li> <li>497: Candidates file if a contribution of \$1,000 or more from a single source is received. Not required for committees primarily formed to support or oppose state candidates.</li> </ul>
<b>Mar 22, 2010</b> <i>Pre-Election</i>	<b>1/1/10 - 3/17/10</b>	460	<ul style="list-style-type: none"> <li>Online and paper filing.</li> </ul>
<b>May 27, 2010</b> <i>Pre-Election</i>	<b>3/18/10 - 5/22/10</b>	460	<ul style="list-style-type: none"> <li>Online and paper filing. Paper filing must be sent by personal delivery or guaranteed overnight service only.</li> </ul>
<b>Within 24 Hours</b> <i>Late Reports</i>	<b>5/23/10 - 6/7/10</b>	496 497	<ul style="list-style-type: none"> <li>Online and paper filing. Paper filing must be sent by personal delivery, guaranteed overnight service, or fax.</li> <li>496: File if an independent expenditure of \$1,000 or more is made in connection with a measure being voted on June 8.</li> <li>497: File if a contribution of \$1,000 or more is made in connection with another candidate or measure being voted on June 8 or to a political party committee. See <i>90-day Election Cycle Report</i> for contributions received.</li> <li>The recipient of a late in-kind contribution must file a late contribution report within 48 hours from the time the in-kind or non-monetary contribution is received.</li> </ul>
<b>Aug 2, 2010</b> <i>Semi-Annual</i>	<b>5/23/10 - 6/30/10</b>	460	<ul style="list-style-type: none"> <li>Online and paper filing.</li> <li>The July 31 deadline falls on Saturday, so the deadline is extended to the next business day.</li> </ul>



**Fair Political Practices Commission**  
**Candidates for Local Office (Including Superior Court Judges)**  
**Committees Primarily Formed to Support/Oppose Local Candidates**  
**Committees Primarily Formed to Support/Oppose Local Measures**  
**Being Voted on November 2, 2010**

<i>Deadline</i>	<i>Period</i>	<i>Form</i>	<i>Notes</i>
<b>Apr 30, 2010</b> <i>Quarterly</i>	1/1/10 - 3/31/10	<a href="#">460</a>	<ul style="list-style-type: none"> <li>File personal delivery or first class mail.</li> <li>Candidates are not required to file this report, only ballot measure committees.</li> </ul>
<b>Aug 2, 2010</b> <i>Semi-Annual</i>	<b>See below</b> - 6/30/10	<a href="#">460</a>	<ul style="list-style-type: none"> <li>Personal delivery or first class mail.</li> <li>The July 31 deadline falls on Saturday, so the deadline is extended to the next business day.</li> </ul>
<b>Oct 5, 2010</b> <i>Pre-Election</i>	7/1/10 - 9/30/10	<a href="#">460</a>	<ul style="list-style-type: none"> <li>File personal delivery or first class mail.</li> </ul>
<b>Oct 21, 2010</b> <i>Pre-Election</i>	10/1/10 - 10/16/10	<a href="#">460</a>	<ul style="list-style-type: none"> <li>File personal delivery or guaranteed overnight service only.</li> </ul>
<b>Within 24 Hours</b> <i>Late Reports</i>	10/17/10 - 11/1/10	<a href="#">496</a> <a href="#">497</a>	<ul style="list-style-type: none"> <li>File personal delivery, guaranteed overnight service, or fax.</li> <li>496: File if independent expenditures of \$1,000 or more are made. See note below. <b>Do not file for expenditures on your committee's behalf.</b></li> <li>497: File if a contribution of \$1,000 or more is received.</li> <li>497: File if a contribution of \$1,000 or more is made to <i>another</i> candidate or <i>another</i> measure being voted on November 2 or made to a political party committee.</li> <li>The recipient of a late in-kind contribution must file a late contribution report within 48 hours from the time the in-kind or non-monetary contribution is received.</li> </ul>
<b>Jan 31, 2011</b> <i>Semi-Annual</i>	10/17/10 - 12/31/10	<a href="#">460</a>	<ul style="list-style-type: none"> <li>File personal delivery or first class mail.</li> </ul>

- **Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- A controlled committee of a candidate may not make an independent expenditure to support or oppose another candidate.
- Local jurisdictions may impose contribution limits and additional filing requirements.
- **Primarily Formed Ballot Measure Committees:** Prior to the semi-annual period in which the measure(s) supported or opposed is being voted on, committees must file quarterly campaign statements in addition to semi-annual statements. Following the election, quarterly statements may also be required.
- **Form 470:** Candidates that do not have a committee or raise/spend \$1,000 in 2010, may file Form 470 on October 5, 2010. Form 470 can not be filed for other deadlines if the candidate has a committee or has raised/spent \$1,000 or more in 2010. After filing a Form 470, if the candidate raises/spends \$1,000 or more in 2010, see Manual 2, Chapter 4 for additional required filings.
- **Candidates:** After an election, reporting requirements will depend on whether the candidate is successful and whether a campaign committee is maintained.
- **Late Statements:** Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, filing deadlines may not be extended. Late statements are subject to a \$10 per day late fine.
- All statements are public documents. Paper reports may be mailed by first class mail unless otherwise noted.
- For important information refer to [www.fppc.ca.gov](http://www.fppc.ca.gov) and click on the Candidates and Committees section. Use [Campaign Manual 2](#) and [Campaign Manual 3](#).



**Fair Political Practices Commission  
Filing Schedule for Non-Electronic Filers  
Candidates for State Office &  
Committees Primarily Formed to Support/Oppose Candidates for State Office  
Being Voted on November 2, 2010**

<b>Deadline</b>	<b>Period</b>	<b>Form</b>	<b>Notes</b>
<b>Aug 2, 2010</b> <i>Semi-Annual</i>	5/23/10 - 6/30/10	<a href="#">460</a>	<ul style="list-style-type: none"> <li>File by personal delivery or first class mail.</li> <li>The July 31 deadline falls on Saturday, so the deadline is extended to the next business day.</li> </ul>
<b>Oct 5, 2010</b> <i>Pre-Election</i>	7/1/10 - 9/30/10	<a href="#">460</a>	<ul style="list-style-type: none"> <li>File by personal delivery or first class mail.</li> </ul>
<b>Oct 21, 2010</b> <i>Pre-Election</i>	10/1/10 - 10/16/10	<a href="#">460</a>	<ul style="list-style-type: none"> <li>File by personal delivery or guaranteed overnight service only.</li> </ul>
<b>Within 24 Hours</b> <i>Late Reports</i>	10/17/10 - 11/1/10	<a href="#">496</a> <a href="#">497</a>	<ul style="list-style-type: none"> <li>Personal delivery, guaranteed overnight service, or fax</li> <li>496: File if independent expenditures of \$1,000 or more are made. See "Prohibition on Candidate Independent Expenditures."</li> <li>497: File if a contribution of \$1,000 or more is received.</li> <li>497: File if a contribution is made in connection with <i>another</i> candidate or measure listed on the November 2 ballot or to a political party committee.</li> <li>The recipient of a late in-kind contribution must file a late contribution report within 48 hours from the time the in-kind or non-monetary contribution is received.</li> </ul>
<b>Jan 31, 2011</b> <i>Semi-Annual</i>	10/17/10 - 12/31/10	<a href="#">460</a>	<ul style="list-style-type: none"> <li>File by personal delivery or first class mail.</li> </ul>

- **Electronic Filing:** Please see filing schedule for e-filing if, since January 1, 2000, contributions are received or expenditures are made totaling \$50,000 or more. For more information, visit the Secretary of State's website at [www.sos.ca.gov](http://www.sos.ca.gov).
- **Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **Prohibition on Candidate Independent Expenditures:** A controlled committee may not make independent expenditures to support or oppose candidates and may not contribute to another committee for the purpose of making independent expenditures to support or oppose other candidates.
- **Contribution Limits:** Contributions to state candidates and to committees that make contributions to state candidates are subject to contribution limits. Some committees that feature state candidates in advertisements are also subject to contribution limits.
- **Late Statements:** Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, filing deadlines may not be extended. Late statements are subject to a \$10 per day late fine.
- All statements are public documents. Paper filings may be sent by first class mail unless otherwise noted.
- For important information refer to [www.fppc.ca.gov](http://www.fppc.ca.gov) and click on the [Candidates and Committees section](#). Use [Campaign Manual 1](#).

**Fair Political Practices Commission  
Filing Schedule for Electronic Filers (E-Filers)  
Candidates for State Office &  
Committees Primarily Formed to Support/Oppose Candidates for State Office  
Being Voted on November 2, 2010**

<b>Deadline</b>	<b>Period</b>	<b>Form</b>	<b>Notes</b>
<b>Within 10 Business Days</b> <i>\$5,000 Report</i>	Ongoing – File any time other than 90- day election cycle	497	<ul style="list-style-type: none"> <li>Online only – no paper filing.</li> <li>File if a contribution of \$5,000 or more from a single source is received at any time other than the 90-day election cycle, including after the election.</li> <li>This report is not required for committees primarily formed to support or oppose state candidates.</li> </ul>
<b>Aug 2, 2010</b> <i>Semi-Annual</i>	5/23/10 - 6/30/10	460	<ul style="list-style-type: none"> <li>Online and paper filing.</li> <li>The July 31 deadline falls on Saturday, so the deadline is extended to the next business day.</li> </ul>
<b>Within 24 Hours</b> <i>90-Day Election Cycle Report</i>	8/4/10 - 11/2/10	496 497	<ul style="list-style-type: none"> <li>Online only – no paper filing.</li> <li>496: File if independent expenditures of \$1,000 or more are made. See note below.</li> <li>497: Candidates file if a contribution of \$1,000 or more from a single source is received. Not required for committees primarily formed to support or oppose state candidates.</li> </ul>
<b>Oct 5, 2010</b> <i>Pre-Election</i>	7/1/10 - 9/30/10	460	<ul style="list-style-type: none"> <li>Online and paper filing.</li> </ul>
<b>Oct 21, 2010</b> <i>Pre-Election</i>	10/1/10 - 10/16/10	460	<ul style="list-style-type: none"> <li>Online and the paper filing must be sent by personal delivery or guaranteed overnight service only.</li> </ul>
<b>Within 24 Hours</b> <i>Late Reports</i>	10/17/10 - 11/1/10	496 497	<ul style="list-style-type: none"> <li>Online and paper filing personal delivery, guaranteed overnight service, or fax.</li> <li>496: File if an independent expenditure of \$1,000 or more is made in connection with a measure being voted on November 2.</li> <li>497: File if a contribution of \$1,000 or more is made in connection with <i>another</i> candidate or measure being voted on November 2 or to a political party committee. See <i>90-day Election Cycle Report</i> for contributions received.</li> <li>The recipient of a late in-kind contribution must file a late contribution report within 48 hours from the time the in-kind or non-monetary contribution is received.</li> </ul>
<b>Jan 31, 2011</b> <i>Semi-Annual</i>	10/17/10 - 12/31/10	460	<ul style="list-style-type: none"> <li>Online and paper filing.</li> </ul>
<b>State Ballot Measure Expenditures</b>			
<b>Within 10 Business Days of the Expenditure</b> <i>\$5,000 Report</i>	See 3 <sup>rd</sup> bullet	496 497	<ul style="list-style-type: none"> <li>Online only – no paper filing.</li> <li>File this report each time contributions or independent expenditures totaling \$5,000 or more are made to support or oppose the qualification or passage of a single state ballot measure.</li> <li>Period: List all new contributions of \$100 or more received by the committee that have not been previously reported up through the date of the \$5,000 or more payment.</li> </ul>

# FAIR POLITICAL PRACTICES COMMISSION

## Important Information

- **Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- A controlled committee of a candidate may not make an independent expenditure to support or oppose another candidate.
- Local jurisdictions may impose contribution limits and additional filing requirements.
- **Primarily Formed Ballot Measure Committees:** Prior to the semi-annual period in which the measure(s) supported or opposed is being voted on, committees must file quarterly campaign statements in addition to semi-annual statements. Following the election, quarterly statements may also be required.
- **Form 470:** Candidates that do not have a committee or raise/spend \$1,000 in 2010, may file Form 470 with their declaration of candidacy or no later than October 5, 2010. Form 470 can not be filed for other deadlines if the candidate has a committee or has raised/spent \$1,000 or more in 2010. After filing a Form 470, if the candidate raises/spends \$1,000 or more in 2010, see Manual 2, Chapter 4 for additional required filings.
- **Candidates:** After an election, reporting requirements will depend on whether the candidate is successful and whether a campaign committee is maintained.
- **Late Statements:** Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, filing deadlines may not be extended. Late statements are subject to a \$10 per day late fine.
- All statements are public documents. Paper reports may be mailed by first class mail unless otherwise noted.
- For important information refer to [www.fppc.ca.gov](http://www.fppc.ca.gov) and click on the Candidates and Committees section. Use *Campaign Manual 2* and *Campaign Manual 3*.

## HOW TO GET HELP FROM THE FPPC

<b>Assistance by Telephone</b>
Call Toll-Free <b>1-866-ASK-FPPC</b> (1-866-275-3772) or 1-916-322-5660
<b>Enforcement Complaints</b>
1-800-561-1861

<b>Assistance by Mail</b>
<b>Fair Political Practices Commission</b> 428 J Street, Suite 620 Sacramento, CA 95814 or P. O. Box 807 Sacramento, CA 95812-0807
<b>Assistance by Fax</b>
1-916-322-0886

The FPPC staff is available by telephone Monday through Friday to provide assistance to anyone who has reporting or other requirements under the Political Reform Act (the "Act").

During the hours of 9:00 a.m. to noon, and from 1:30 to 4:30 p.m., call **1-866-ASK-FPPC** (this is a toll-free number) or 1-916-322-0886 and press 2 to speak to a political reform consultant in the Technical Assistance Division. Political reform consultants field questions in all areas covered by the Act. In addition, voicemail has a special prompt that allows you to order forms, manuals and other materials any time.

### **Written Advice from FPPC**

The FPPC also provides written advice to persons and organizations regulated by the Act. Requests for written assistance can be sent to the address listed at the top of the page. Requests for written advice must state the name, title or position, and mailing address of the person whose duties are in question and must provide all of the material facts in a clear and concise manner. The Act requires the FPPC to respond to requests for written advice within 21 business days. The period may be extended if the request poses a particularly complex legal question.

### **Important Notes Regarding Telephone and Written Advice:**

- ❖ The FPPC provides telephone and written assistance only to persons and organizations that have duties under or are regulated by the Act (or their authorized representatives), and does not provide "third party" advice. If you believe that someone has violated the Act and you wish to report it, contact the Enforcement Division at 1-800-561-1861.
- ❖ The FPPC does not provide written confirmation of telephone advice. Requests for written advice may be made, but must follow the format outlined above.
- ❖ The FPPC cannot provide assistance concerning laws other than the Political Reform Act (e.g., the CAEC, the Brown Act, Federal or local laws).

## **CAMPAIGN FINANCE PROHIBITIONS**

- State law provides for the following prohibitions regarding campaign funds:
- No contribution of one hundred dollars (\$100) or more shall be made or received in cash. If a cash contribution is made, it shall not be deemed received if it is refunded within 72 hours of receipt or in the case of a late contribution, within 48 hours of receipt. No expenditure of one hundred dollars (\$100) or more shall be made in cash. The value of all in-kind contributions of one hundred dollars (\$100) or more shall be reported in writing to the recipient upon the request in writing of the recipient. (Govt. Code §84300)
- No contribution shall be made, directly or indirectly, by any person in a name other than the name by which such person is identified for legal purposes. (Govt. Code §84301)
- No person shall make an anonymous contribution or contributions to a candidate, committee or any other person totaling one hundred dollars (\$100) or more in a calendar year. An anonymous contribution of one hundred dollars (\$100) or more shall not be kept by the intended recipient but instead shall be promptly paid to the Secretary of State for deposit in the General Fund of the state. (Govt. Code §84304)
- No contribution shall be commingled with personal funds of the recipient or any other person. (Govt. Code §84307)
- Contributions made by a husband and wife may not be aggregated. A contribution made by a child under 18 years of age is presumed to be a contribution from the parent or guardian of the child. (Gov. Code §85308)
- No newsletter or other mass mailing shall be sent at public expense. (Govt. Code §89001)
- Every person who contrives, prepares, sets up, proposes, or draws any lottery or raffle, is guilty of a misdemeanor. (Penal Code §319, 320)

## CAMPAIGN DISCLOSURE REQUIREMENTS OFTEN OVERLOOKED

**BEWARE** – *The Franchise Tax Board is authorized under Section 90001 of the California Government Code to audit Campaign Disclosure Statements. The audit can include tests of the accounting records and other such auditing procedures.*

*The purpose of campaign disclosure is to provide the public with the identity of contributors and the amounts they give, as well as the amount officeholders, candidates and committees spend. The laws passed to enforce that purpose can be challenging for the unwary, therefore some often overlooked requirements, some identified in audit reports, are provided here:*

- Even unopposed candidates are subject to the campaign disclosure provisions of the Political Reform Act. (Gov. Code §82007)
- Prior to soliciting or receiving any contribution (including a loan), all elected officeholders and all candidates must file Form 501 (candidate intention).
- Contributions include **PERSONAL FUNDS** and are subject to the same disclosure requirements.
- A Statement of Organization (Form 410) must be filed within 10 days by any person who receives contributions totaling \$1,000 or more during a calendar year. Candidates for county offices (excludes judges, school boards and special district boards) must file a Form 410 prior to the acceptance of any campaign contribution totaling \$50 or more or the making of any expenditure intended to influence the outcome of any election.
- Officeholders and candidates who receive contributions or make expenditures must establish a campaign checking account in California and report it on a Form 410.
- Loans to a candidate are considered contributions unless the loan is from a financial institution. The Federal Election Campaign Act (2 U.S.C. §442b & e) prohibits contributions from national banks, national corporations, and foreign nationals in connection with any local, state, or federal election to political office.
- Filing fees and candidate statement fees may be paid in cash if the candidate is using personal funds and will not be reimbursed through the committee. (Gov. Code §85200) Otherwise, campaign disclosure laws require that expenditures of \$100 or more be made by written instrument containing the names of both the payee and payer. (Gov. Code §84300)
- Candidates for County Offices are prohibited from receiving contributions from business entities or labor unions. However, if the business or labor committee is created for or sponsored by a corporation, partnership or labor union or other business entity for the sole purpose of using voluntary donations of its individual members or employees for political purposes may make contributions up to \$600 in support of or in opposition to a candidate or recall. (County Ordinance Section 8.05.050)
- Never accept or spend \$100 or more in cash.
- For contributions of \$100 or more, including loans, and in-kind contributions, you must disclose the contributor's name, address, occupation and employer. Contributions of \$100 or more may not be made in the form of a money order or cashier's check. Contributions may continue to be made with a credit card. (Gov. Code §84300)

- Maintain details on contributions and expenditures of \$25 or more, even if you are spending less than \$1,000. Refer to recordkeeping guidelines in Manual A.
- Make copies of all contributor checks.
- Itemize expenditures of \$500 or more made by an agent or campaign consultant.
- Include your name and campaign address in at least 6-point type on the outside of all mass mailings (more than 200 pieces). Your committee's name may be used if it includes your name. If your name is not part of the committee's name, you may use just your name, or both your name and the name of the committee.
- Candidates must disclose employer information for all contributors and keep all records of occupation and employer information.
- **NO PERSONAL USE OF CAMPAIGN FUNDS.** Use campaign funds only for political, legislative, or governmental purposes.
- The source for each loan must be disclosed.
- All expenditures of \$100 or more must be itemized on the campaign statements, and then summarized on the Campaign Disclosure Statement Summary Page.
- As long as a committee is in existence, a Semi-Annual Campaign Statement must be filed. If the candidate has filed a long form (460) previously in the calendar year, a 460 must be filed as the Semi-Annual Statement even if there is no activity. If a 470 has been filed previously in the year, another 470 must be filed as the Semi-Annual Statement.
- Payee addresses must be disclosed on the campaign statements for expenditures made.
- If the committee changes its treasurer, an amendment to the Form 410 Statement of Organization must be filed.
- If \$1,000 or more is received from one contributor during the last 16 days before the election, disclose receipt within 24 hours, even if the contribution is from your personal funds.

## **ELECTIONEERING ON ELECTION DAY**

### **100 FEET RULE ELECTIONS CODE § 18370**

- No person, on election day, or at any time that a voter may be casting a ballot, shall, within 100
- feet of a polling place or an elections official's office:
- Circulate an initiative, referendum, recall or nomination petition or any other petition.
- Solicit a vote or speak to a voter on the subject of marking his or her ballot.
- Place a sign relating to voters' qualifications or speak to a voter on the subject of his/her qualifications except as provided in §14240.
- Do any electioneering. This includes wearing buttons, T-shirts, stickers, etc. that promote a candidate or issue on the ballot.
- As used in this section, "100 feet from a polling place or an elections official's office" means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.
- Any person who violates any of the provisions of this section is guilty of a misdemeanor.

### **ELECTIONEERING DURING VOTE-BY-MAIL VOTING**

Pursuant to Elections Code §18371 no candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of a vote-by-mail voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the vote-by-mail voter is voting.

Any person who knowingly violates this section is guilty of a misdemeanor. This section shall not be construed to conflict with any provision of the federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by Section 18370, or by any other provision of law.

### **POLL WATCHERS**

Poll watchers are allowed at the polling place as long as they obey the law and election procedures. Persons observing the polls may:

- Inspect the Roster of Voters. Any such inspection, however, must be done without impeding, interfering or interrupting the normal process of voting and counting.
- Inspect the Public's Alpha Index updated regularly by the precinct workers. The index may not be removed from the polling place.
- Observe all activities at the polling place, including activities after the polls close, providing they do not interfere with the normal processing of voters.

### **EXIT POLLING**

The Secretary of State and Attorney General have reviewed the Electioneering provisions and have determined that these provisions do not apply to the Press and Media conducting "Exit Polls."

However, no one may interfere with the conduct of the election. Therefore, news media have been advised to remain at least 25 feet from the entrance to the polls. The media may take pictures or run a television camera inside the polling place providing they respect the voters' privacy and do not interfere with voting. They may not speak to voters regarding how they are voting within 25 feet of the entrance to the polling place.



## **ELECTION DAY / NIGHT INFORMATION**

### **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. Electioneering includes circulating any petition, soliciting votes, and displaying campaign signs. T-shirts, buttons, signs on cars, handouts and anything else which may be considered campaigning is strictly prohibited.

### **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 from the polling place to the processing center.

After closing of the polls, the Department of Elections will begin reporting election results. The first report issued will reflect vote totals from absentee ballots. Subsequent reports will be cumulative and include mail ballot precincts and polling place results.

Following 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. Each precinct will post results outside the polling place for the public to view. Please call (415) 554-4375 for more information.

### **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 website: [www.sfelections.org](http://www.sfelections.org).

### **OFFICIAL CANVASS OF THE RETURNS**

The Department of Elections will conduct the official canvass of the returns beginning no later than two days after the election. The Department will complete the official canvass within 28 days (Tuesday, July 6 for the Primary Election and November 30 for the General Election), and will submit a certified statement of the results to the California Secretary of State and San Francisco Board of Supervisors.

## ***FREQUENTLY ASKED QUESTIONS***

Candidates running for public office must satisfy many requirements set forth in law and regulation. Over the years, certain aspects of the nomination process have been identified as areas where prospective candidates seem to encounter problems. In order to assist candidates in avoiding these "pitfalls" the following questions and answers have been prepared.

### ***Is your office open during the lunch hour?***

Yes. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays. We are also open the two weekends prior to Election Day from 10:00 a.m. – 4:00 p.m. and on Election Day we are open from 6:00 a.m. until 8 p.m.

### ***May I mail in my Signatures-In-Lieu of the Filing Fee petition or my nomination petition signatures?***

No. Petition signatures that have been mailed in will not be accepted as filed. The petition signatures must be filed in person either by the candidate or an individual authorized by the candidate. The authorization must be election specific, in writing and filed with the Department of Elections.

### ***If I want my Signatures-In-Lieu of the Filing Fee applied towards my nomination petition signature requirement, may I turn the In-Lieu Signatures in with my nomination paperwork?***

No. All In-Lieu Signatures must be filed within the Signatures-In-Lieu period in order for valid In-Lieu Signatures to be applied towards your Nomination Petition.

### ***What if I change my mind about being a candidate after filing a Declaration of Candidacy?***

According to CAEC §10510, "No candidate shall withdraw his or her declaration of candidacy after 5 p.m. on the 88<sup>th</sup> day prior to the general election."

### ***May a second party pick up my Declaration of Candidacy for me?***

All forms must be either picked up in person by the candidate or a letter of specific authorization, signed by the candidate, must be presented by the candidate's representative.

### ***May a second party file my Declaration of Candidacy?***

Election law does not specifically prohibit another person filing a Declaration of Candidacy for a candidate. However, candidates are urged to file in person. The reasons are twofold: The oath or affirmation must be administered by a member of the Department of Elections or a notary. It is easier for a candidate to file the Declaration of Candidacy in person and have the oath administered at the time the candidate files; and the signature of the candidate, as well as other data, is required on the Declaration of Candidacy. If through an oversight the candidate's papers are incomplete, the problem can be easily rectified when a candidate files in person.

### ***If I am the nominee from the Primary Election and placed on the ballot in the General Election, may I revise my ballot designation (the occupational or professional title that follows my name on the ballot)?***

Yes. A ballot designation change in the General Election must be submitted in writing to the Secretary of State, at least 98 days prior to the general election.

## STATE AND FEDERAL OFFICES CONTACT INFORMATION

<p><b>Fair Political Practices Commission</b>  P.O. Box 807 (95812-0807)  428 J Street, Suite 620  Sacramento, CA 95814  916-322-5660 / FAX: 916-322-0886  Toll Free: 1-866-275-3772 (1-866-ASK-FPPC)  Website: <a href="http://www.fppc.ca.gov/">www.fppc.ca.gov/</a></p> <ul style="list-style-type: none"> <li>▪ Campaign Disclosure</li> <li>▪ State Contribution Limits</li> <li>▪ Conflict of Interest Disclosure</li> <li>▪ Lobbying Disclosure</li> <li>▪ Conflict of Interest Disqualification</li> <li>▪ Proper Use of Campaign Funds</li> </ul> <p>Reporting Enforcement Violations  800-561-1861</p>	<p><b>Federal Election Commission</b>  800-424-9530  Website: <a href="http://www.fec.gov">www.fec.gov</a></p> <ul style="list-style-type: none"> <li>▪ Federal Campaign Disclosure</li> <li>▪ Contributions from National Banks, National Corporations, and Foreign Nationals</li> </ul> <hr/> <p><b>State Franchise Tax Board</b>  800-338-0505  Website: <a href="http://www.ftb.ca.gov">www.ftb.ca.gov</a></p> <ul style="list-style-type: none"> <li>▪ Committee Tax Status</li> <li>▪ Tax Deductible Contributions</li> <li>▪ Charitable Non-Profit Groups</li> <li>▪ Any Other Tax-Related Questions</li> </ul>
<p><b>Secretary of State  Political Reform Division</b>  P.O. Box 1467 (95812-1467)  1500 11<sup>th</sup> Street, Room 495  Sacramento, CA 95814  916-653-6224 / FAX: 916-653-5045  Website: <a href="http://www.ss.ca.gov">www.ss.ca.gov</a></p> <ul style="list-style-type: none"> <li>▪ Committee Identification Numbers</li> <li>▪ Termination of Committees</li> </ul> <p><b>Elections Division</b>  916-657-2166</p> <ul style="list-style-type: none"> <li>▪ Questions Relating to the California Elections Code</li> </ul>	<p><b>Internal Revenue Service</b>  800-829-1040  Website: <a href="http://www.irs.ustreas.gov">www.irs.ustreas.gov</a></p> <ul style="list-style-type: none"> <li>▪ Federal Taxpayer I.D. Numbers</li> <li>▪ Any other Tax-related questions</li> </ul> <hr/> <p><b>Attorney General</b>  800-952-5225  Website: <a href="http://www.caag.state.ca.us">www.caag.state.ca.us</a></p> <ul style="list-style-type: none"> <li>▪ Brown Act requirements</li> </ul>