DRAFT

Guide to Submitting Ballot Arguments

In favor of or against local ballot measures, for publication in the
San Francisco Voter Information Pamphlet

To access and print Ballot Argument Forms:

- Go to *sfelections.org*
- On the left side of the page. click "Campaign Services"
- Click "Ballot Argument Forms"
- Print the forms on legal-size paper (8.5″ x 14″)

Ballot arguments must be filed in person no later than:

- **12 noon on Thursday, August 13**: Proponent and Opponent Arguments
- **12 noon on Monday, August 17:**   Rebuttal and Paid Arguments

Department of Elections
1 Dr. Carlton B. Goodlett Place
City Hall, Room 48
San Francisco, CA 94102
415-554-4375; 415-554-7344 (fax)
sfelections.org
Hours: Monday—Friday, 8 a.m.—5 p.m.

*Dates subject to change

Dates and Deadlines Related to Ballot Arguments

For the November 3, 2015, Consolidated Municipal Election

Monday, August 03	11 AM	E-92	Designation of Letters for Ballot Measures (MEC 505) Proponent and Opponent Arguments may be submitted following Letter Designation

PROPONENT AND OPPONENT ARGUMENTS (300 WORD LIMIT)

Thursday, August 13	12 Noon	E-82	Last day to submit Proponent & Opponent Arguments
Thursday, August 13	2:00 PM	E-82	Lottery to select Proponent & Opponent Arguments
Friday, August 14	12 Noon	E-81	Last day to correct grammatical, spelling, or factual errors contained in Proponent & Opponent Arguments
Friday, August 14 to Monday, August 24	12 Noon to 12 Noon	E-81 E-71	Public inspection period for Proponent & Opponent Arguments*

REBUTTAL ARGUMENTS (250 WORD LIMIT)

Monday, August 17	12 Noon	E-78	Last day to submit Rebuttal Arguments
Tuesday, August 18	12 Noon	E-77	Last day to correct grammatical, spelling or factual errors contained in Rebuttal Arguments
Tuesday, August 18 to Friday, August 28	12 Noon to 12 Noon	E-77 E-67	Public inspection period for Rebuttal Arguments*

PAID ARGUMENTS (300 WORD LIMIT)

Monday, August 17	12 Noon	E-78	Last day to submit Paid Ballot Arguments
Tuesday, August 18	12 Noon	E-77	Last day to correct grammatical, spelling or factual errors contained in Paid Arguments
Tuesday, August 18 to Friday, August 28	12 Noon to 12 Noon	E-77 E-67	Public inspection period for Paid Arguments*

*During the ten-day public inspection periods for the above materials for publication in the Voter Information Pamphlet, any San Francisco voter may seek a court order requiring that the material be amended or deleted. A court may amend or delete the material only if the voter demonstrates by clear and convincing evidence that the material is false, misleading, or inconsistent with state or local election laws, and that the amendment or deletion will not substantially interfere with the printing or distribution of the Voter Information Pamphlet. *(CAEC §§ 9295, 13313.)*

Table of Contents

I. Introduction

This guide summarizes the procedures and requirements for submitting ballot arguments in favor of or against a measure, for publication in the San Francisco Voter Information Pamphlet. This guide also answers some of the most frequently asked questions about these procedures and requirements. This guide does not have the force and effect of law, regulation, or rule, and if there is a conflict, the law, regulation, or rule applies.

The Department of Elections recommends that anyone submitting a ballot argument:

- Carefully proofread the argument and count the words. The Department will make the official word count when the argument is submitted.

- Submit the argument before the legal deadline. All signatures and supporting documents must also be submitted on or before the deadline. The Department has no authority to extend the deadline.

- Pay particular attention to Section VIII of this guide, which describes:

    o Procedures and requirements for submitting arguments

    o Provisional acceptance of such arguments by the Department

    o Notification of defective submissions

    o Procedures for correcting defective submissions

If you have questions, please call the Department of Elections at (415) 554-4375.

NOTE: This "Guide to Submitting Ballot Arguments" pertains to local measures for the City and County of San Francisco. This guide does not apply to state, school, or special district measures. Please refer to the *California Elections Code (CAEC)* for requirements to submit ballot arguments in favor of or against one of these measures.

II. Before Submitting Ballot Arguments

The San Francisco Voter Information Pamphlet

San Francisco publishes Voter Information Pamphlets to provide voters with information about candidates and ballot measures in advance of each election. The Voter Information Pamphlet includes:

- The sample ballot
- The identification of each measure by letter and title
- The digest of each measure prepared by the Ballot Simplification Committee
- The City Attorney's question or statement for each measure
- The Controller's financial analysis of each measure
- An explanation of how each measure qualified for submission to the voters
- The full text of each measure
- Prop proponent, opponent, rebuttal and paid arguments, if any, in favor of and against each measure

Before submitting arguments in favor of or against a measure, individuals and organizations have the opportunity to review materials such as the Ballot Simplification Committee digest and the financial analysis of the measure. See page 2 for information about the public review periods for these materials.

The Ballot Simplification Committee Digest

The Ballot Simplification Committee (BSC) reviews and writes a digest for each local measure. The digest includes four subsections:

- The Way It Is Now
- The Proposal
- A "Yes" Vote Means
- A "No" Vote Means

The digest is intended to inform voters of the purpose of the proposed measure in a fair and impartial manner, using language as close as possible to the eighth-grade reading level. Digests are usually limited to 300 words. The BSC conducts its work in public meetings. For information about the BSC, go to *sfelections.org/bsc* or contact the Department of Elections at (415) 554-4375.

Ballot Questions, Titles, and Financial Analyses of Ballot Measures

As the BSC completes the digests for proposed ballot measures, the City Attorney prepares the question to be printed on the ballot, the Director of Elections determines the official title, and the Controller prepares a financial analysis of each measure.

III. Who may author ballot arguments? *(San Francisco Municipal Elections Code (SFMEC) § 530)*

Any of the following may author or co-author ballot arguments in favor of or against any local ballot measure:

- The Board of Supervisors, or any member or members of the Board of Supervisors authorized by that body
- The Mayor
- Any proponent of an initiative measure or a referendum (the person or people who published the notice of intention to circulate the initiative or referendum petition)
- Any voter who is eligible to vote on the measure, or group of such voters; or association or organization, or any combination thereof

The Department of Elections can accept a ballot argument only if that argument is signed by each author whose name will appear below the text of an argument. See Section VII for more information about signature authorizations.

IV. Proponent and opponent arguments *(SFMEC §§ 535, 540, 545, 550)*

Word limit: 300
Submission deadline: see page 2

For each local ballot measure, the Department of Elections will print in the Voter Information Pamphlet, free of charge, one argument in favor of and one argument against the measure. These arguments are called proponent and opponent arguments. The proponent and opponent arguments are printed on facing pages in the pamphlet, immediately following the Ballot Simplification Committee's digest of the measure, the Controller's financial analysis of the measure, and the explanation of how the measure qualified for submission to the voters.

Anyone who is eligible to author a ballot argument (see Section III) may author proposed proponent or opponent arguments.

Selection of Opponent and Proponent Arguments

The Department of Elections may only accept one argument per a measure per a submittal. No one may submit more than one ballot argument for consideration as an official argument.

If the Department of Elections receives more than one proposed proponent or opponent argument for a measure, the Department will select one proponent and one opponent argument according to the following order of priority:

Selection priority for proponent arguments:

1. The proponent of an initiative petition; or the Mayor, the Board of Supervisors, or four or more Supervisors if the measure is submitted by the same
2. The Board of Supervisors, or any member(s) designated by motion of the Board
3. The Mayor
4. Any registered San Francisco voter, group of registered San Francisco voters, association or organization, or combination thereof

Selection priority for opponent arguments:

1. The person who files a referendum petition with the Board of Supervisors
2. The Board of Supervisors, or any member(s) designated by motion of the Board
3. The Mayor
4. Any registered San Francisco voter, group of registered San Francisco voters, association or organization, or combination thereof

If more than one argument in favor of or against a measure is submitted at any given priority level and no argument entitled to higher priority is submitted, the Department of Elections will select the proponent or opponent argument by lottery from among all arguments at the highest level of priority.

Assignment of the right to submit a proponent or opponent argument

Any of the following who are selected to submit a proponent or opponent argument may assign the right to submit the argument to someone else

- The proponent of an initiative petition
- Four or more members of the Board of Supervisors, if they submitted the measure
- The person who filed a referendum petition with the Board of Supervisors

- The Mayor
- The Board of Supervisors, or any member(s) designated by motion of the Board

Anyone else selected to submit a proponent or opponent argument may *not* assign the right to submit the argument to another person or persons.

V. Rebuttal arguments *(SFMEC §§ 535, 550)*

Word limit: 250
Submission deadline: see page 2

After the Department of Elections selects one proponent argument and one opponent argument for each measure, the Department sends copies of both arguments to the submitters of the selected arguments. The proponent may submit a rebuttal to the opponent argument, and the opponent may submit a rebuttal to the proponent argument. Each rebuttal argument is printed on the same page of the Voter Information Pamphlet as the argument it rebuts. If no proponent or opponent argument is submitted for a measure, the Department will not accept or publish any rebuttal argument.

Assignment of the Right to Submit a Rebuttal Argument

Any author of a proponent or opponent argument may assign the right to submit a rebuttal argument to someone else, provided that the other person or people are eligible to author an argument (see Section III). The Department of Elections will accept a rebuttal argument from someone other than the proponent or opponent only if the Department receives, with the rebuttal, a signed statement with an original signature from the proponent or opponent that clearly assigns the right to submit the rebuttal.

VI. Paid arguments *(SFMEC §§ 535, 555, 560, 565, 570)*

Word limit: 300
Publication fee: $200 plus $2 per word
Submission deadline: see page 2

Submission of proposed proponent and opponent arguments as paid arguments

Paid arguments are printed in the Voter Information Pamphlet on the pages immediately following the proponent, opponent, and rebuttal arguments related to the same measure.

An argument submitted, but not selected, as a proponent or opponent argument, may subsequently be submitted as a paid argument.

The Department's count determines the cost and payment amount.

Payment of fee and disclosure of true source of payment

Anyone submitting a paid ballot argument must pay a publication fee of $200 plus $2 per word (see Section VII for information about counting words to calculate the fee). The fee must be paid at the time the argument is submitted, and may be paid by personal check, credit or debit card, money order, or cash.

Anyone submitting a paid ballot argument must disclose the true source of the funds used for payment of the publication fee. This statement, **signed under penalty of perjury**, must be included on the *Ballot*

Argument Control Sheet. This information will be printed below the paid argument, after the names of the authors, as follows:

> The true source(s) of funds for the printing fee of this argument: (insert name).

If the source of the funds used for payment of the fee is a "recipient political committee" under the Political Reform Act (*California Government Code § 82013*), the submitter of the ballot argument must disclose the names of the three contributors whose cumulative contributions are the largest contributions received by the committee during the six months immediately preceding submission of the argument.

For information about what qualifies as a "recipient political committee," see below, or contact the San Francisco Ethics Commission at (415) 252-3100 or the California Fair Political Practices Commission at (866) ASK-FPPC.

Definition of recipient committee (*California Government Code § 82013*)

82013. "Committee" means any person or combination of persons who directly or indirectly does any of the following:

(a) Receives contributions totaling one thousand dollars ($1,000) or more in a calendar year.

(b) Makes independent expenditures totaling one thousand dollars ($1,000) or more in a calendar year; or

(c) Makes contributions totaling ten thousand dollars ($10,000) or more in a calendar year to or at the behest of candidates or committees.

A person or combination of persons that becomes a committee shall retain its status as a committee until such time as that status is terminated pursuant to Section 84214.

This additional information will appear below the paid argument as follows:

> The three largest contributors to the true source recipient committee: 1. (name of contributor), 2. (name of contributor), 3. (name of contributor)

The order of the three largest contributors will be at the discretion of the author.

True source of fund is not included in the word count. All the names provided as the true source of funds are printed in the Voter Information Pamphlet. If the same recipient committee appears on more than one ballot argument, the same order of contributors will be used for the sake of consistency.

The Department prints the names of recipient committees as they are stated on the control sheet.

Submission of petition signatures in lieu of fee

Anyone submitting a ballot argument may submit a petition with signatures of San Francisco voters in lieu of the publication fee ("fee petition"). Each signature reduces the publication fee by $0.50.

Each fee petition must include a copy of the complete text of the proposed argument and must be submitted in the format prescribed by the Department of Elections (see Attachment 5 to this guide). Any registered San Francisco voter may circulate or sign a fee petition, and voters may sign fee petitions for more than one argument related to the same measure. All fee petitions must be submitted at the time the argument is filed.

<u>*NOTE*</u>: The Department of Elections strongly recommends that all ballot arguments be submitted prior to the legal deadlines; this is particularly important for paid arguments. Early submission makes it more likely that an underpayment or shortfall in the number of fee petition signatures can be identified and corrected

before the legal submission deadline for paid arguments. If the underpayment or shortfall is discovered *after* the legal submission deadline, the person will have only **24 hours** to make corrections.

VII. How to Submit a Ballot Argument *(SFMEC §§ 550, 575)*

1. Forms

Submitters of ballot arguments must complete and submit *Ballot Argument Control Sheet A* to the Department of Elections with the author's signature. If there are additional authors, collect their signatures on *Control Sheet B*, and submit *Control Sheets A* and *B* together.

If a ballot argument states that someone other than an author supports or opposes the ballot measure, or agrees with the ballot argument, submit a signed *Consent Form* with the *Control Sheets.*

To access and print *Ballot Argument Control Sheets*:

- Go to *sfelections.org*
- On the left side of the page. click "Campaigns"
- Click "Ballot Argument Forms"
- Print the forms on legal-size paper (8.5" x 14")

Submitters must then print and complete the Declaration Related to Proponents' and Opponents' Arguments form. This form is located on the same page as the Ballot Argument Forms

To submit multiple arguments, ensure consistency and save time by following these steps:

- Fill out one *Control Sheet A* with all unchanging information (usually Sections 1, 3, and 4)
- Save the partially completed *Control Sheet A*. Use this file as a template for all of the arguments
- Add the unique information for each argument (generally Section 2 and the text of the arguments), save each argument as a separate file, and print *Control Sheet A* for each argument.
- Collect all required signatures *Control Sheet A* or *B* or on the *Consent Form.*
- Submit completed *Control Sheets* and *Consent Forms* to the Department of Elections, and send electronic copies of the argument text to *publications@sfgov.org* within 24 hours.

There are three main steps to submitting ballot arguments:

All Proponents' and Opponents' Argument authors must also complete a *Declaration Related to Proponents' and Opponents' Arguments.* This *Declaration* is not required for <u>*paid*</u> arguments.

2. Draft the arguments.

- **Ensure the argument meets the word limit.**

  Proponent, opponent and paid arguments may not exceed 300 words. Rebuttal arguments may not exceed 250 words. The following rules govern the word count *(CAEC § 9(a))*:

  o **Authors**. The names of the authors and any titles or identifying information about the authors are counted toward the word limit: "Joe Smith" counts as one word; "Joe Williams-Smith" also counts as one word.

- o **Proper Nouns**

  Proper nouns count as one word.

- o **Geographic names**.

  - Proper geographic names are counted as one word: "San Francisco"

  - Building names and areas are not proper geographic names: "City Hall" and "Bay Area" each count as two words

  - "San Franciscans" counts as one word

- o **Numbers and dates**.

  - Numbers written as numerals are counted as one word: 100

  - Numbers written as words are counted by the number of words: "one hundred" counts as two words

  - Dates are counted as one word: "November 8, 2011"; 11/8/2011

- o **Hyphenated words**. Word combinations that are hyphenated (which appear hyphenated in any generally available standard reference dictionary published in the United States in the last ten calendar years) are counted as one word

  - Counted as one word: One-sided, long-standing, high-speed, low-key

  - Counted as two words: High profile, low frequency

- o **Punctuation**. Punctuation is not counted

- o **True source of funds**. Disclosure of the true source of funds for paid ballot arguments does not count toward the word limit (or for calculation of the publication fee)

- o **Initials**. Initials count as one word

- o **Abbreviations and contractions**. Abbreviations and contractions each count as one word

- Obtain a *Consent Form* from each person mentioned in the text of the argument who is not an author.

  If a ballot argument states that an individual or organization (entity) other than an author supports or opposes the ballot measure, or agrees with or endorses the argument, a completed *Consent Form* is required (see Attachment 3 to this guide). The *Consent Form* must be signed by the referenced individual or an authorized representative of the referenced organization.

  NOTE: If a newspaper of general circulation reports that an individual or organization supports or opposes the ballot measure, and a ballot argument merely restates what has been reported in the newspaper, the Department of Elections may allow the submitter to provide a copy of the newspaper article in lieu of a *Consent Form*.

3. Complete the *Ballot Argument Control Sheets.*

- Fill out the required information on *Ballot Argument Control Sheet A*

  Ballot Argument Control Sheet A (see Attachment 1 to this guide) must include:
  - the name, contact information, and signature of the submitter
  - the complete text of the argument, formatted exactly as it should appear in the Voter Information Pamphlet (see below)
  - the names, signatures, and any identifying information about the authors, exactly as this information should appear in the Voter Information Pamphlet (see below)
  - a count of the total number of words in the argument, including the names of and any identifying information about the authors

Argument text will be printed in the Voter Information Pamphlet exactly as submitted. Please ensure that all information is legible and correct. Arguments should be neatly typed, with clear spacing between paragraphs. The type should be dark enough to ensure that photocopies are legible.

<u>NOTE</u>: The Department of Elections strongly recommends that ballot arguments and supporting documentation be typed, rather than handwritten. Handwritten submissions or corrections are more difficult to read, interpret, and typeset than those that are typed. If a handwritten argument, supporting document, or revision is unclear, the Department of Elections staff will interpret the submission to the best of their abilities. Although there is a possibility that the ballot argument may not be printed as the author or submitter intended, the Department's interpretation of the submission is final.

- Specify formatting (how the argument should appear in print)

  Submitters may designate portions of the argument text to be printed in **bold**, *italic or **bold italic*** type. Any such formatting requests must be clear.

  o Format the typed text as desired on *Ballot Argument Control Sheet A*, or

  o To designate text formatting by hand on *Ballot Argument Control Sheet A*:
    - Underline the text to be formatted
    - In the left margin, indicate "B" for **bold**, "I" for *italics*, or "BI" for ***bold italics***
    - To indicate more than one format within a line of text, write the format codes in order in the left margin, clearly separated by commas.

The Department of Elections will *not* underline argument text, print argument text in columns or with other unusual spacing, or print graphics.

Author signature information is printed in standard text, or, if requested, in **bold**, *italics, or **bold italics***.

- Obtain signature authorization from each author, and specify how the author should be identified.

  Each author must complete the *Author Information* portion of *Ballot Argument Control Sheet A* or *B* (see Attachment 1 and 2). Author names and any other signature information will be printed under the argument in the Voter Information Pamphlet.

  o **Author names, titles, and other identifying information**:

    ▪ Authors may include identifying information to be printed along with their names under the ballot argument. For example, an author may list his or her title, occupation, or affiliation with an organization. The *Author Information* portion of the *Ballot Argument Control Sheet* must clearly and legibly indicate the author's name and any title or other identifying information.

    ▪ If an author's title or other identifying information is used only for identification, and not to indicate the support of his or her organization, indicate this by checking this box in section 2 of *Ballot Argument Control Sheet A* or *B:*

      ☐ Check if the title or identifying information is for *identification purposes only*, if you are signing as an individual, not on behalf of an organization.

    ▪ The names, titles, and other identifying information about authors are counted toward the word limit. The following does not count toward the word limit:

        * For identification purposes only; author is signing as an individual and not on behalf of an organization.

  o **Author organizations**:

    ▪ The argument should be signed by at least one of the organization's principal officers who is a registered San Francisco voter

    ▪ If none of the principal officers is a registered San Francisco voter, a principal officer must submit a separate written authorization for an individual who is both a member and a registered San Francisco voter to sign on behalf of the organization. The officer must complete the *Author Information* portion of the *Ballot Argument Control Sheet*, and clearly indicate whether the officer's name should be printed in the Voter Information Pamphlet as a co-author along with the name of the organization

  o **Multiple authors**: If there is more than one author, the original signatures (preferably in bold, blue ink) of any additional authors must be collected on *Ballot Argument Control Sheet B* and submitted with *Ballot Argument Control Sheet A*

4. Submit the completed forms to the Department of Elections.

- Submit the *Ballot Argument Control Sheet(s)*, with the original signature(s) of the author(s), along with any *Consent Forms*

  o Authors are not required to personally submit their arguments to the Department of Elections. Because the author may be different from the person who submits the argument, this guide generally refers to the "submitter" as the person who delivers the argument and supporting material to the Department.

  o Submitters of ballot arguments must deliver to the Department of Elections the completed *Ballot Argument Control Sheet(s),* any *Consent Forms*, and, in the case of paid arguments,

the publication fee or a fee petition, no later than the legal deadline. (See page 2 of this guide for deadline information.)

o ALL signatures and other supporting documents, as well as the text of the argument, are due no later than the deadline. The Department has no authority to extend the deadline.

o The Department of Elections does not permit filing by email or by fax. The Department accepts faxed copies of *Ballot Argument Control Sheets* and *Consent Forms* provided that the Department receives the signed originals within 48 hours of the legal deadline.

- **Submit an Electronic Copy of Each Argument**

  To reduce the possibility of a transcription error and to facilitate typesetting, the Department of Elections urges submitters to send an electronic copy of each ballot argument.

  o Email argument text to *publications@sfgov.org* within 24 hours after submitting the hard copy, to reflect any changes made during submission

  o Submit electronic copies via email as a fillable pdf, as a Microsoft Word attachment to an email, or, if necessary, in the body of an email

  o Please use descriptive subject lines and files names, such as: *A-rebuttal to opponent* or *B-No-15*

  o If there is any discrepancy in content or format between an electronic copy of an argument and the *Ballot Argument Control Sheet A* that was submitted in person, the Department of Elections will print the version submitted on *Control Sheet A*

- **Provisional acceptance and notice of defective submission**

  The Department of Elections will *provisionally* accept a ballot argument if the person submitting the argument delivers, on or before the legal deadline, a completed *Ballot Argument Control Sheet.* In the case of paid arguments, the Department will *provisionally* accept the argument if it is submitted with the estimated fee, or with the minimum number of fee petition signatures required, or a combination of money and signatures. The Department will verify the following materials as soon as possible to determine whether these materials are sufficient:

  o each author and officer who signed a ballot argument on behalf of an organization is a registered San Francisco voter

    ▪ If an author is not a registered voter, the Department will remove the author's name from the argument

    ▪ If there is no co-author, the Department will not publish the argument

    ▪ If only one officer signs a ballot argument on behalf of an organization, and the officer is not a registered voter, the Department will not publish the argument.

  o the word count is correct and the argument does not exceed the word limit

    ▪ If the argument exceeds the word limit, the Department will notify the submitter and allow the submitter 24 hours to reduce the word count

    ▪ No editorial changes may be made other than deleting words, even if the deletions result in incorrect or awkward grammar

    ▪ If the submitter fails to reduce the word count, the Department will not publish the argument

  o For paid arguments, the fee, fee petition signatures, or combination of the two is sufficient.

    ▪ In case of underpayment, the Department will notify the submitter.

- If the underpayment is discovered before the legal deadline for submitting paid ballot arguments, the Department will allow the submitter 24 hours or until the legal deadline (whichever is later) to reduce the word count, submit more fee petition signatures, or pay the balance due.
- If the underpayment is discovered after the legal submission deadline, the Department will allow the submitter 24 hours to reduce the word count or pay the balance due (the Department will not accept additional fee petition signatures).
- If the submitter fails to reduce the word count, submit more signatures, or pay the balance due, the Department will not publish the argument.

Submit an executed Declaration Related to Proponents' and Opponents' Arguments form. Prior to submitting an argument

VIII. Correction of grammatical, spelling, or factual errors; modification or withdrawal of ballot arguments *(SFMEC § 535)*

Withdrawal and   see page 2
correction deadlines:

The author of a ballot argument may change or withdraw the argument at any time up until the submission deadline for that argument.

After the submission deadline, authors may correct only grammatical, spelling, or factual errors in an argument, up until the correction deadline for that argument. An author may not withdraw his or her name or signature authorization after the submission deadline. The Director of Elections determines what constitutes a grammatical, spelling, or factual error, and this determination is final.

To change, withdraw, or correct an argument, the author must submit to the Department of Elections a written and signed statement clearly indicating the change, withdrawal, or correction. For changes or corrections, the Department may require the submitter to complete a new *Ballot Argument Control Sheet*

IX. Public review and challenges to ballot arguments *(SFMEC § 590)*

Public inspection   see page 2
periods

Copies of all ballot argument material to be printed in the Voter Information Pamphlet will be available for public inspection at the Department of Elections during regular business hours, Monday through Friday, 8 a.m. through 5 p.m.

X. Frequently asked questions

Does the Department of Elections have the authority to change ballot arguments?

No. The Department of Elections has no authority to edit or delete a ballot argument. Only a court may edit or delete ballot arguments. (If necessary, the Department may modify the formatting of text for consistency and for the efficient use of space.)

Who verifies the accuracy of statements made in ballot arguments?

The person submitting a ballot argument is responsible for the accuracy of the argument. The Department of Elections does not verify the accuracy of arguments or edit arguments for correct spelling or grammar. The Department prints arguments *exactly* as submitted.

If I submit my ballot arguments before the deadline, or if I submit a large number of ballot arguments, can I get a discount on the publication fee?

No. The Board of Supervisors sets the publication fee by ordinance. The Department of Elections has no authority to reduce or waive the fee under any circumstance.

How can I ensure that my paid argument will appear as the first paid argument in the Voter Information Pamphlet?

To the extent possible, the Department of Elections prints paid ballot arguments in the Voter Information Pamphlet in the order in which the arguments are received and time stamped. Submitting paid ballot arguments before the legal deadline is recommended for several reasons. In addition to giving the submitter the best opportunity to correct any underpayment or any errors in the argument, early submission makes it more likely that the argument will be printed as one of the first paid arguments in favor of or against the measure.

If the true source of funds for a paid ballot argument is a recipient political committee, and there were fewer than three contributors to the committee during the six-month period immediately preceding submission of the argument, what information must be provided concerning the true source of the funds?

If there were only two contributors to the committee during the six-month period, the submitter of the ballot argument must disclose both contributors. If there was only one contributor to the committee during the six-month period, the submitter must disclose the single contributor. No one is required to disclose information about contributors before the six-month period. The sequence of contributors should start with the largest contribution amount.

Are the individuals who sign a petition in lieu of the publication fee considered to be the authors of the ballot argument?

No. The individuals who sign a petition in lieu of the publication fee are not considered to be the authors of the ballot argument. Only the person or persons who complete the Author Information portion of the Ballot Argument Control Sheet are authors.

Can I fax or email ballot argument forms to the Department of Elections?

No. Anyone submitting a ballot argument must deliver a signed original of the Ballot Argument Control Sheet and any Consent Forms before the legal deadline. The Department of Elections will not print arguments that are faxed or emailed only. Submitters are urged to also send an electronic copy of their arguments to facilitate typesetting to publications@sfgov.org.

If I submit a ballot argument before the legal deadline, will other people be able to see my argument?

No. Copies of arguments will be available only after the public inspection period begins.

If I submit an argument that is not chosen as a proponent or opponent argument, can I use it as a paid argument?

Yes. You can refile the same argument as a paid argument.

If I submit a faxed signature with my argument, will be accepted?

Yes, under the conditions that the original signature must be received within 48 hours, or the author or endorsement in question will be removed from the argument.

What if the organization's principal officer is not a registered voter in San Francisco? Can he or she sign on behalf of the organization?

No. When the author of an argument is an association or organization, the argument must be signed by at least one of the organization's principal officers who is a registered San Francisco voter. However, if the principal officer is not a registered voter, the principal officer may submit a separate written authorization for an individual who is both a member and a registered San Francisco voter to sign on behalf of the organization. The officer must complete the Author Information portion of the Ballot Argument Control Sheet, and clearly indicate whether the officer's name should be printed in the Voter Information Pamphlet as a co-author along with the name of the organization.

What if there is a typesetting error in the Voter Information Pamphlet that is discovered after the Pamphlet has been printed?

The Department of Elections makes every effort to ensure that arguments appearing in the Voter Information Pamphlet are typeset correctly. If the Department discovers a substantive error after the Pamphlet has been printed, the Department will publish a notice of the corrections in local newspapers. Publication details are noted on the index page of the Voter Information Pamphlet.