



# Candidate Guide for County Central Councils and Committees

March 3, 2020 Presidential Primary Election

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## I. Introduction

This guide is to assist potential candidates in preparation for the March 3, 2020 Consolidated Presidential Primary Election. The Department of Election's goal in creating this guide for candidate is to address the most commonly asked questions about the process. The parties that participate in the Central Committee process include: the Democratic Party, the Green Party, the Peace and Freedom Party, and the Republican Party.

This document may provide some general guidance for the process in which candidates are placed on the ballot. These processes are dictated by the requirements set forth predominantly within the San Francisco Municipal Election Code (SFMEC), the California Elections Code (CAEC). The City Charter and other State codes may also clarify definitions and processes associated with the Central Committee Election to a lesser extent. In the event that there is a conflict of information amongst this guide and any law or regulation, the law or regulation shall always apply. As such, candidates should not solely rely on this guide as their only source of information.

While this guide may provide a useful introduction to our processes the Department of Elections always encourages candidates to examine pertinent codes and laws as a means to expand their understanding.

The Department of Elections **strongly** recommends that all candidates file their required forms prior to the legal deadlines noted in this guide. Early submissions minimize and capacity for error, allow staff to provide candidates with a higher level of service, minimize wait times, and may serve to make the process easier for all parties involved. Candidates must satisfy **all** filing candidates required by law, even the most technical of details could prevent placement of a candidate on the ballot if legal requirements are not met. Coming in early to submit papers gives candidates ample time to identify errors and omissions and respond accordingly. There are no nomination period extensions for Central Committees or County Council.

There are many valuable resources for candidates that exist beyond the Department of Elections. All candidates must visit the San Francisco Ethics Commission to file declarations there. Additionally, the Ethics Commission may have other guides and information that candidates will find helpful. The California Secretary of State (SOS) and Fair Political Practices Commission (FPPC) are also important bodies as they play a role in the administration and enforcement of laws regarding candidates and elections.

The Department of Elections is open from 8 a.m. to 5 p.m., Monday through Friday, to assist with general inquiries. You may visit us in City Hall, Room 48, our phone number is 415-554-4375. This guide is available online as well, you may visit us at [sfelections.org](http://sfelections.org) to learn more.

<b>Code References:</b> the following abbreviations are used throughout this guide for citations of supporting legal codes	
CAEC	California Elections Code
CCR	California Code of Regulations
CA Gov. Code	California Government Code
SFC	San Francisco City Charter
SFMEC	San Francisco Municipal Elections Code
SFC&GCC	San Francisco Campaign and Governmental Conduct Code

## II. Calendar

Date(s)	Description	Code Provisions
9/27/2019- 12/6/2019	<p><b>Nomination Period</b> The period during which all candidates for Member of the County Central Committee must file their declaration of candidacy for office and their ballot designation worksheets and circulate their nomination papers and deliver them to the Department of Elections. All nomination documents must be left with the Department of Elections for filing with the Secretary of State.</p>	CAEC §§333, 8020, 8040, 8041, 8062-8064, 8100, 8104, 13107.3
12/7/2019- 12/17/2019	<p><b>Public Examination Period: Candidate Materials</b> Period of public review and possible legal challenge of candidate legal names, ballot designations, and translated or transliterated Chinese names submitted by candidates.</p>	SFMEC §590(c)

## III. General Information

There are currently six qualified political parties in the state of California: The American Independent Party, the Democratic Party, the Green Party, the Libertarian Party, Peace and Freedom Party, and the Republican Party. The eligible seats for each party are determined by registration figures in Assembly Districts and a calculation enumerated in the State Elections Code.

Candidates may be subject to financial filing requirements before they obtain or file nomination documents. Candidates must contact the San Francisco Ethics Commission at (415) 252-3100 or [sfethics.org](http://sfethics.org) for more detailed assistance regarding public financing, fundraising, or campaign finance requirements.

### A. Eligibility of Candidates

CAEC § 8001 (A)(1)

At the time of election, the candidate must be affiliated with the party of the committee to which he or she is seeking membership. The candidate must also have been affiliated with that party for three months prior to the date of filing a Declaration of Candidacy, or for as long as he or she has been eligible to register and vote in this State. Also, the candidate must not have been affiliated with any other qualified party for 12 months prior to the date of filing such Declaration.

### B. Filing Fee

There is no filing fee for candidates for partisan County Central Committees.

## IV. Nomination Documents

The Department furnishes all official nomination forms at our office; candidates may use only these forms. Candidates or their authorized representatives may pick up their nomination documents during the nomination period. The Department strongly encourages candidates to make an appointment with the Department and allow at least 30 minutes for the nomination documents to be issued.

Candidates for County Central Committee may pick up their documents at the beginning of the nomination period, which will start on September 27, 2019, and end on December 6, 2019. Staff recommends that candidates allot approximately half an hour of time to pick up nomination papers. Candidates must return all nomination papers to the Department of Elections at the same time; no later than 5 p.m. on December 6 2019.

### C. Declaration of Candidacy

CAEC §§13, 200, 13107-13107.5, 18202-18204

Each candidate must file a Declaration of Candidacy stating that the candidate meets the legal qualifications for the office sought. The Declaration of Candidacy form consists of several sections:

- Declaration of filing under legal name
- Name as it should appear on the ballot
- Ballot designation (optional; see Section VII. c., below)
- Name in Chinese (if a candidate does not request a particular Chinese name, a transliteration will be provided)
- Sworn statement of eligibility
- Certificate as to Candidate's Political Party Affiliation
- Oath of office

If a candidate personally obtains and files the nomination documents, the Declaration of Candidacy must be executed in the presence of Department staff. If a candidate authorizes another person to obtain and file the nomination documents, the candidate must execute the declaration, including the oath of office, in the presence of a notary public.

### D. Nomination Petition

CAEC §§100, 100.5, 102, 104-106, 10220-10223, 10226-10227, 18200-18205

Each candidate must file a nomination petition with the Department of Elections containing a minimum of 20 **valid** signatures. The Department of Elections will accept a maximum of 40 signatures and strongly recommends that candidates submit more than 20 in the event some signatures are unacceptable.

Public terminals are available at the Department of Elections for candidates to verify the validity of signatures in their possession prior to filing them with the Department of Elections.

All signers must be registered San Francisco voters and members of the same political party and Assembly District as the candidate. No signer shall sign nomination petitions for more candidates than there are offices to be filled (for example, if there are 4 open seats and 7 candidates, you may only sign 4 petitions). Each signer must print their name and address.

Ditto marks are not permitted when successive signers have the same address. Circulator affidavits must be complete when petitions are submitted.

## 1. Petition Circulator Information

CAEC §§102, 104, 106, 2138, 2158-2159.5, 8106, 18610-18614

A candidate may circulate and sign his or her own petition.

The petition contains an Affidavit of Circulator. The circulator must complete each affidavit by hand, sign the affidavit, and return the petition to the candidate or a person authorized by the candidate. The circulator may not complete a section of the affidavit and then duplicate the petition. When making a copy of a petition form, the candidate or circulator should ensure that no fields have been prefilled.

For a voter's signature to be valid, the voter must indicate a residential address on the petition that matches the address in his or her registration record. As voters sometimes forget to re-register when they have moved within San Francisco, a candidate or circulator may obtain voter registration cards for signers to complete. Registration cards must be turned in to the Department within three days of receipt from a voter.

It is a misdemeanor to circulate a petition knowing it contains false, forged, or fictitious names.

## 2. Invalid Petition Signatures

CAEC §§100, 100.5, 102, 104, 105

The California Elections Code imposes strict rules governing the verification of petition signatures. For example, a petition signature is invalid and cannot be counted if:

- a. The signer is not a registered voter in the supervisorial district in which the candidate is running
- b. The signer does not provide a San Francisco residential address
- c. The signer provides a different residential address from the address listed in his or her voter registration record
- d. The signer provides a post office box, mail drop, or business address, rather than a residential address
- e. The signer is registered under a different preferred political party
- f. The signer's address is pre-printed
- g. The signer uses ditto marks for an address
- h. The signature does not match the signature in the voter's registration record
- i. The signature appears as a voter's mark but is not witnessed
- j. The petition circulator fails to complete or sign the affidavit portion of the petition
- k. The circulator is not 18 years of age or older

## E. Name in Chinese Characters / Transliteration

SFMEC §401

Each candidate's name will appear on the ballot in Chinese characters, as well as in English. Candidates may, but are not required to, submit a proposed translated or transliterated Chinese name. Please note that the Department uses traditional Chinese characters, rather than simplified. If a candidate does not submit a proposed Chinese name, the Department's translator will prepare a transliteration of the candidate's name.

The Director of Elections determines whether to accept a candidate's proposed Chinese name based on:

- a. Any information submitted by the candidate regarding established use of the proposed name
- b. Information regarding how the Chinese community refers to the candidate at community meetings or in the media
- c. Whether or not a proposed translation or transliteration has another meaning in the Chinese language
- d. Any other information the Director deems relevant in order to prevent voter confusion

The Director of Elections' determination whether to accept a candidate's proposed Chinese name shall be final. The submitted or transliterated Chinese names of all candidates for local office are available for public review and possible legal challenge for ten calendar days.

## V. Ballot Designation, Ballot Designation Worksheet

CAEC §§13107-13107.5

A candidate may request that their occupation appear below their name on the ballot; this is the candidate's ballot designation.

The nomination packet provided to all candidates includes a copy of the most recent ballot designation regulations issued by the Secretary of State; these regulations may also be found at the Secretary of State's website, [sos.ca.gov/elections/upcoming-elections](https://sos.ca.gov/elections/upcoming-elections). The Ballot Designation Worksheet is a required document that is designed to help support a candidate's proposed ballot designation or an alternate. Candidates should attach copies of any supporting documentation. The Ballot Designation Worksheet is available at the Department and at [sos.ca.gov/elections/upcoming-elections](https://sos.ca.gov/elections/upcoming-elections).

If a candidate does not want a designation to appear on the ballot under their name, the candidate must write the word "none" on the ballot designation section of the Declaration of Candidacy and sign the form. The word "none" will not appear on the ballot.

No candidate may change their designation after the deadline for filing nomination documents except because of a challenge or a writ of court.

With regard to a candidate's ballot designation, if there is a discrepancy among the Affidavit of the Nominee, Declaration of Candidacy, and Ballot Designation Worksheet, the Department will use the information provided on the Declaration of Candidacy.

### a) **Acceptable Designations** CAEC §13107(a)

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

- a. **Elective Office Title:** The office title is the word or words designating the office (federal, state, county, city, district, or judicial) that the candidate holds at the time of filing nomination documents and to which the



candidate was elected by a vote of the people (or was appointed, in the case of a superior court judge). If the candidate is seeking election to a nonpartisan office, this title may not include political party affiliation. Examples: "City Attorney," "Member, Board of Supervisors," "Sheriff."

- b. **Incumbent:** The word "incumbent" may be used if the candidate is running for the same office that the candidate holds at the time of filing nomination documents and to which the candidate was elected by a vote of the people (or was appointed, in the case of a superior court judge).
- c. **Appointed Incumbent or Appointed and Office Title:** If the candidate was appointed to an office and is filing as a candidate for election to the same office, the words "appointed incumbent" or the word "appointed" and the title of the office may be used. The appointed officeholder may not use the unmodified word "incumbent."
- d. **No More than Three Words Designating the Candidate's Principal Professions, Vocations, or Occupations:** The candidate may use up to three words to describe the principal profession, vocation, or occupation that he or she currently holds or held during the preceding year. California geographical names such as "City and County of San Francisco" are considered one word. Hyphenated words that appear in a Standard English dictionary are also considered one word. Each part of all other hyphenated words are counted as a separate word.

If a candidate has more than one principal profession, vocation, or occupation, the candidate may use slashes or commas to separate them. Dashes may be used only if required in the spelling. Example: "Attorney/Accountant" or "Teacher, Mother."

Basic Test of Acceptable Ballot Designation:	Answer:
Is it true?	Yes
Is it factually accurate?	Yes
Does it mislead?	No
Is it generic?	Yes
Is it neutral?	Yes
Is it how the candidate makes a living?	Yes

**Examples of Acceptable Ballot Designations:**

- Teacher
- Plumber
- Homemaker
- Retail Salesperson
- Computer Programmer
- Community Volunteer (as long as volunteer activities are the candidate's principal occupation)

**b) Unacceptable Designations**  
CAEC §13107(b)-(d); CCR §20716

Candidates may not use a designation that:

- a. Would mislead the voter
- b. Would suggest an evaluation of the candidate, such as "outstanding," "leading," "expert," "virtuous," or "eminent"

- c. Abbreviates the word “retired.” A candidate may use “retired” in non-abbreviated form before the word it
- d. modifies as long as state law requirements for use of “retired” are met
- e. 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”
- f. Uses the name of any political party, whether or not it has qualified for the ballot
- g. Uses a word or words referring to a racial, religious, or ethnic group
- h. Refers to any activity prohibited by law

**Examples of Unacceptable Ballot Designations:**

Concerned Citizen  
 Taxpayer  
 Philanthropist  
 Neighborhood Community Leader

If the Director of Elections finds that a proposed ballot designation violates any legal requirement, the Department will contact the candidate immediately. Within three business days of receiving this notification, the candidate must provide an alternative ballot designation. If the candidate fails to provide an alternative designation or affirm that a previously listed alternate is acceptable, the candidate’s name will appear on the ballot without any designation.

**VI. Public Examinations and Challenges**

CAEC §§13313, 13314; SFMEC §590(a)

All nomination documents are available for public review during the 10-calendar-day period starting at noon the day after the nomination period ends. During this period, any voter of the jurisdiction in which the election is being held, or the Department, may challenge a candidate’s legal name, ballot designation, or a translated or transliterated Chinese name requested by a candidate. Chinese transliterations of candidates’ names that are provided by the Department’s translator are also available for a 10-day examination period, which starts at noon on the 77th day before the election.

Any challenges must be submitted to the Department in writing during the 10-day public examination period. The challenge must demonstrate that the material is inconsistent with election law requirements and that action by the court to correct or remove the material will not substantially interfere with the conduct of the election.

Following the close of the public examination period for each category of material, the Department may proceed with publication of that material.

**VII. Position on Ballot**

On December 12, 2019 the California Secretary of State will conduct a random drawing of the alphabet and the Department of Elections will use the results to arrange the names of candidates on the ballot.

## **VIII. Withdrawal of Candidacy**

No candidate may withdraw his or her candidacy in a Primary election after filing his or her Declaration of Candidacy.

## **IX. Election Day and Night**

### **F. Election Day**

CAEC §§319.5, 18370

The polls are open from 7 a.m. to 8 p.m.

Electioneering, which is any visible or audible activity that advocates for or against any candidate or measure on the ballot, is prohibited within 100 feet of the room in which voters are casting ballots. Examples of prohibited materials and activities include displaying a candidate's name, likeness, or logo; buttons, hats, pencils, pens, shirts, signs, or stickers with information about candidates or issues on the ballot; or any audible broadcasting of information about candidates or measures on the ballot. Electioneering also includes soliciting petition signatures within 100 feet of a polling place. Violations can be charged as misdemeanors.

### **G. Election Results**

CAEC §15372(a)

On Election Night, the Department will release the first preliminary summary report of election results at approximately 8:45 p.m. This report will provide the results from the vote-by-mail ballots processed before Election Day.

Approximately hourly after that, the Department will release additional summary results reports that include votes cast at the polling places.

After all polling places have reported, the Department will release a final summary report.

The Department will release updated results reports at 4 p.m. on every day on which it counts ballots. On any days during which no ballots are counted, the Department will post a notice on [sfelections.org](https://sfelections.org) stating that no update will be issued.

The Department will release final election results at the end of the official canvass period, no later than 30 days after the election.

For more information about results reporting, visit [sfelections.org](https://sfelections.org)