

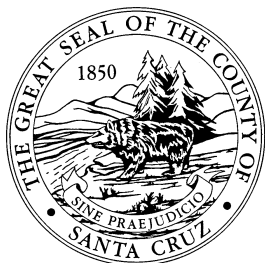
CANDIDATE'S HANDBOOK



PRESIDENTIAL PRIMARY ELECTION MARCH 2, 2004



Prepared by:
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August 2003



County of Santa Cruz

ELECTIONS DEPARTMENT

701 OCEAN STREET, ROOM 210, SANTA CRUZ, CA 95060-4076
(831) 454-2060 FAX: (831) 454-2445 TDD: (831) 454-2123
E-MAIL: gail.pellerin@co.santa-cruz.ca.us Web Site: www.co.santa-cruz.ca.us

RICHARD W. BEDAL, COUNTY CLERK
GAIL L. PELLERIN, ELECTIONS MANAGER

August 2003

Dear Candidate,

Welcome to the March 2, 2004 electoral process. Regardless of who wins, it is hoped that this is a positive experience for you.

The Elections Department is dedicated to helping all qualified candidates get their names printed on the ballot and to ensuring that the election is fair and accurate.

For the uninitiated, the process can be confusing, with resulting errors and misunderstandings. Although this handbook is a guide for candidates, it is for general information only and does not have the force and effect of law, regulation, or rule. In case of conflict, the law, regulation, or rule will apply. Candidates and others using this handbook must bear full responsibility to make their own determinations as to all legal standards and duties.

The best advice I can give to all candidates is FILE EARLY. The filing deadlines are rigid and if one waits until the last moment to file a document containing errors or omissions, one's right to appear on the ballot may be lost. Most errors can be corrected given adequate time.

We hope you find this Candidate's Handbook useful. Should you have any suggestions for improving the manual or have identified corrections to be made, please call Elections Manager Gail Pellerin at 831-454-2419 or e-mail her at gail.pellerin@co.santa-cruz.ca.us

Good luck, and may the best person win.

Sincerely,

Richard W. Bedal
County Clerk

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COUNTY ELECTIONS DEPARTMENT

COUNTY CLERK RICHARD W. BEDAL

701 Ocean St., Room 210

Santa Cruz, CA 95060

831-454-2060

FAX: 831-454-2445

WEB Page: www.votescount.com

CONTACT PERSONS

Please feel free to contact us at the Elections Department should you have any questions, comments, or concerns. Direct telephone numbers, with voice mail availability, are listed under each person's name.

Elections Manager	Gail Pellerin gail.pellerin@co.santa-cruz.ca.us 454-2419
Candidate Filings Campaign Reporting Conflict of Interests Reports Central Committee Members	Crystal Bertheau crystal.bertheau@co.santa-cruz.ca.us 454-2408
Absentee Statistical Reports Permanent Absentees Absentee Application Distribution Special Absentee Voters Purge	Karla Haack karla.haack@co.santa-cruz.ca.us 454-2416
Candidate tapes/disks/reports Precinct Boundaries & Consolidations Street Index Maintenance Computer Programming Initiatives & Petitions	Margaret Morrison margaret.morrison@co.santa-cruz.ca.us 454-2415
Polling Places Poll workers Precinct Maps Precinct Supply Distribution	Tracey Rosenthal Tracey.Rosenthal@co.santa-cruz.ca.us 454-2409
Department Information Services Manager Website Manager	Martin Peaden martin.peaden@co.santa-cruz.ca.us 454-3456
Voter Registration & Outreach Motor Voter	Jaime Young jaime.young@co.santa-cruz.ca.us 454-2405
Warehouse Supervisor	Michael Smith warehouse@votescount.com 454-5063

STATE AND FEDERAL OFFICES

IMPORTANT TELEPHONE NUMBERS

Fair Political Practices Commission

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)
Enforcement Violations: 800-561-1861
Website: www.fppc.ca.gov

The Fair Political Practices Commission (FPPC) was created by the Political Reform Act of 1974, a ballot initiative passed by California voters as Proposition 9.

The FPPC educates the public and public officials on the requirements of the Act. It provides written and oral advice to public agencies and officials; conducts seminars and training sessions; develops forms, manuals and instructions; and receives and files statements of economic interests from many state and local officials.

The FPPC investigates alleged violations of the Political Reform Act, imposes penalties when appropriate, and assists state and local agencies in developing and enforcing conflict-of-interest codes.

The FPPC regulates:

- campaign financing and spending;
- financial conflicts of interest;
- lobbyist registration and reporting;
- post-governmental employment;
- mass mailings at public expense; and
- gifts and honoraria given to public officials and candidates.

Secretary of State

1500 11th Street, Room 495
Sacramento, CA 95814
Website: www.ss.ca.gov

Political Reform Division

916-653-6224 / FAX: 916-653-5045
E-Mail: PoliticalReform@ss.ca.gov

The Secretary of State's Political Reform

Division administers provisions of California's Political Reform Act of 1974 that requires the disclosure of financial activities related to political campaigns and lobbying. Specific activities of the Political Reform Division include:

- Register and issue identification numbers for all state and local campaign committees that raise funds in connection with elections (non-federal) throughout California.
- Receive notices from all state and local candidates of their intentions to raise campaign funds and establish separate bank accounts for these funds.
- Receive campaign disclosure statements (itemizing contributions received and expenditures made) filed by individuals and committees raising or spending campaign funds to support or oppose state candidates or ballot measures. (Local campaign committees file their itemized disclosure statements with local filing officers. For California federal campaigns, the Political Reform Division receives copies of itemized disclosure statements filed with the [Federal Election Commission](http://www.fec.gov) in Washington, D.C.)
- Provide technical assistance regarding campaign disclosure provisions of the Political Reform Act to state and local candidates and elected officials, treasurers of campaign committees, and the general public.
- Review campaign documents to ensure compliance with reporting requirements.
- Provide public access to all campaign disclosure documents.
- Publish campaign financing reports that summarize and analyze the extensive information contained in campaign documents filed with the Political Reform Division.
- Determine if campaign documents have been filed on time and impose and collect fines for late filings.

Secretary of State's Office (cont.)

Elections Division

916-657-2166 / FAX: (916) 653-3214

TDD: 1-800-833-8683

1-800-345-VOTE or 1-800-345-8683

E-Mail: Elections@ss.ca.gov

Responsible for:

- certifying the official lists of candidates;
- determining which types of voting systems are acceptable for use in California;
- advising candidates and local elections officials on the qualifications and requirements for running for office, providing guidance on choosing acceptable candidate ballot designations, and determining the order of the candidates on the ballot;
- tracking and certifying ballot initiatives;
- coordinating the tabulation of the votes from each county on election night;
- producing the official Statements of Vote after each election;
- printing registration forms, encouraging registration and voter turnout, and producing several voter information publications;
- investigating voter fraud

Campaign Filing Offices

Statewide candidates and officeholders, Supreme Court justices, state ballot measure committees, and other committees that support or oppose state candidates and ballot measures, or that support or oppose candidates and ballot measures in more than one county, file campaign reports with:

- the Secretary of State and
- the election officials for the counties in which they are domiciled.

They also file with:

Registrar-Recorder of Los Angeles County

Campaign Reporting Unit

12400 Imperial Highways

Norwalk, CA 90650

562-462-2339 / FAX: 562-651-2548

Website: <http://polling2.co.la.ca.us/camp/>

Department of Elections

City and County of San Francisco

Campaign Statements

1 Dr. Carlton B. Goodlett Place, City Hall -
Room 48

San Francisco, CA 94102

Phone (415) 554-4375

FAX (415) 554-7344

www.ci.sf.ca.us/election

Federal Election Commission

999 E Street, NW

Washington, DC 20463

800-424-9530

For the hearing impaired, TTY 202-219-3336

Website: www.fec.gov

- Federal Campaign Disclosure
- Contributions from National Banks, National Corporations, and Foreign Nationals

State Franchise Tax Board

800-338-0505

Website: www.ftb.ca.gov

- Committee Tax Status
- Tax Deductible Contributions
- Charitable Non-Profit Groups
- Audit of Campaign Disclosure Statements

Internal Revenue Service

800-829-1040

Website: www.irs.gov

- Federal Taxpayer I.D. Numbers
- Any other Tax-related questions

Attorney General

P.O. Box 944255

Sacramento, CA 94244-2550

800-952-5225

Website: www.caag.state.ca.us

- Legal Opinions
- Incompatibility of office
- Quo Warranto actions
- Brown Act requirements

WHO YOU GONNA CALL?

In response to the many inquiries we receive regarding possible election violations or fraud, we have the following list of resources regarding whom to contact for the various types of violations.

The Santa Cruz County Elections Department is **NOT** an enforcement agency and is therefore unable to investigate any violations. When our office receives reports of violations, we simply refer them to the agencies listed below:

- False or misleading campaign materials (No agency enforcement. These issues are dealt with in court)
- Violations of the Political Reform Act (Title 9 of the California Government Code at Sections 81000 through 91015), i.e. mass mailing requirements; slate mailers; campaign disclosure; proper use of campaign funds; disclosure of economic interests: contact the Fair Political Practices Commission at www.fppc.ca.gov, 800-561-1861
- Election fraud: contact your local district attorney, 454-2400, or the California Secretary of State at www.ss.ca.gov, 916-657-2166
- Unlawful use of public funds, violations of the Elections Code, the Penal Code, or any laws other than the Political Reform Act: contact your local district attorney, 454-2400, or the California State Attorney General at www.caag.state.ca.us, 800-952-5225
- Federal campaigns, Congress, U.S. Senate, President of the United States, etc.: contact the Federal Election Commission at www.fec.gov, 800-424-9530
- Open meeting laws (Brown Act): contact your local district attorney, 454-2400, or the California State Attorney General at www.caag.state.ca.us, 800-952-5225
- Local ordinances: contact your local city attorney or district attorney, 454-2400
- Vandalism or requirements concerning campaign signs: contact local city attorney or district attorney, 454-2400

See prior pages for additional agency contact information. See below for information on contacting the county District Attorney.

Santa Cruz County District Attorney's Office

701 Ocean St., Room 200

Santa Cruz, CA 95060

831-454-2400 | FAX: 831-4554-2227 | TDD: 831-454-2123

or

1430 Freedom Blvd.

Watsonville, CA 95076

831-763-8120 | FAX: 831-763-8029

Neighboring Counties

Below is a list of counties that are adjacent to Santa Cruz County or with whom we share a Congressional, State Senate or State Assembly district.

Monterey

Tony Anchundo, Registrar of Voters
1370 B South Main Street
Salinas, CA 93901
P O Box 1848
Salinas, CA 93902
(831) 755-5085
(831) 755-5485 Fax
Hours 8:00am - 5:00pm
www.montereycountyelections.us

San Benito

John R. Hodges, County Clerk-Auditor-Recorder
Courthouse, Room 206
440 Fifth Street
Hollister, CA 95023-3843
(831) 636-4029
(831) 636-2939 Fax
Hours 8:00am - 5:00pm

San Luis Obispo

Julie Rodewald, County Clerk-Recorder
1144 Monterey Street, Suite A
San Luis Obispo, CA 93408-3237
(805) 781-5228
(805) 781-1111 Fax
Hours 8:00am - 5:00pm
<http://www.slclerkrecorder.org/>

San Mateo

Warren Slocum, Assessor-County Clerk-Recorder
40 Tower Road
San Mateo, CA 94402
(650) 312-5222
(650) 312-5348 Fax
Hours 8:00am - 5:00pm
www.shapethefuture.org

Santa Clara

Jesse Durazo, Registrar of Voters
1555 Berger Drive, Bldg. 2
San Jose, CA 95112
P O Box 1147
San Jose, CA 95108-1147
(408) 299-VOTE
(408) 998-7314 Fax
Hours 8:00am - 5:00pm
www.sccvote.org

Santa Barbara

Joseph E. Holland, County Clerk-Recorder
Courthouse Basement
1100 Anacapa Street
Santa Barbara, CA 93101
P O Box 159
Santa Barbara, CA 93102-0159
(805) 568-2200
(805) 568-3247 Fax
Hours 8:00am - 5:00pm
www.sb-democracy.com/

Website: www.votescount.com

The Santa Cruz County Election Department's website contains valuable information to assist candidates and voters.

Some highlights are:

- ❖ **Candidate Watch** – a daily update of who has filed.
- ❖ **Contact Candidate** – for those candidates who have authorized our department to do so, we will post contact information for candidates with links to websites and e-mail for easy voter and media access.
- ❖ **Candidate's Statements of Qualifications** – once they are made public, we will post the Candidate's Statement of Qualifications for those candidates who have filed one.
- ❖ **Voter's Information Pamphlet** – contains information on local measures as well as a list of State Legislative candidates who have accepted the Proposition 34 expenditure limits.
- ❖ **March 2, 2004 Candidate's Handbook** – if one copy is not enough, you can find all of the valuable information contained in this handbook online.
- ❖ **What's New With Elections** – includes information on new laws, such as 15-day voter registration, expansion of permanent absentee voter status, etc.
- ❖ **Important Voter Information** – polling place lookup, sample ballot lookup, information on early voting, weekend voting, voting by mail, provisional voting, overseas voting, and voting at the polls.
- ❖ **Campaign Forms from the FPPC**
- ❖ **Application for a vote-by-mail ballot for voters to download and mail or FAX in.** Campaigns conducting vote-by-mail drives are still required to obtain the uniform application from our office.
- ❖ **Voter Registration Forms** – voters can go online and complete a voter registration form that will be printed with the information and mailed to the voter for a signature to then be returned to the county elections official.
- ❖ **District maps**
- ❖ **Lists of Elected Officials**
- ❖ **Information on Political Parties**
- ❖ **Election Guidebooks** – “Information for Jurisdictions Consolidating Elections;” “How to Place a Measure on the Ballot;” “Voting Guide for Senior Citizens and Persons with Disabilities;” “How to Do a County Initiative;” “Guide to Writing Arguments, Rebuttals, and Analyses;” “Guide to Registering Voters;” “Guide to Recall for County, School District, Special District and Local Judicial Offices;” “How to Fill a Vacancy;” and more.
- ❖ **Poll Worker Applications and Information**
- ❖ **Results from Past Elections**
- ❖ **Voter Registration and Turnout History**

CANDIDATE CHECKLIST – MARCH 2, 2004

Listed below is a description of the various mandatory and optional forms to be filed for candidacy in the March 2, 2004 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	FILED
Signature-In-Lieu Petition	Legislative & Judicial candidates & Independent candidates for Legislative Offices	Sept. 26 - Nov. 5 (E-158 to E-118)	
Signature-In-Lieu Petition	U.S. Senate, Congressional & Board of Supervisor candidates	Sept. 26 - Nov. 20 (E-158 to E-103)	
Declaration of Intention	Legislative & Judicial candidates & Independent candidates for Legislative Offices	Oct. 27 - Nov. 5 (E-127 to E-118)	
Declaration of Intention extension	Anyone other than the incumbent who did not file	Nov. 6 - Nov. 10 (E-117 to E-113)	
Declaration of Candidacy	All candidates	Nov. 10 - Dec. 5 (E-113 to E-88)	
Nomination Paper	All candidates	Nov. 10 – Dec. 5 (E-113 to E-88)	
Candidate's Statement of Qualifications	Optional for Judicial, Board of Supervisor and District Attorney candidates ONLY	(Must be filed & paid for with Dec. of Candidacy)	
Nomination Document extension	Anyone other than the incumbent who did not file	Dec. 6 – Dec. 10 (E-87 to E-83)	
Campaign Disclosure Statements	Legislative, Judicial, Board of Supervisor candidates	See filing schedule on Page 115	
Code of Fair Campaign Practices	Optional for All Candidates	File with Dec. of Candidacy	
Statement of Economic Interests (Form 700)	All candidates EXCEPT candidates for U.S. Senate & Congress	File with Dec. of Candidacy	

CANDIDATE FILING DOCUMENTS

All candidate filing documents are public at the time they are filed, except for Candidate's Statements of Qualifications that become public at 5 p.m. on the first business day following the deadline to file the statements. Dates marked with an (*) indicate that it falls on a weekend or holiday so the activity is moved to the next business day.

Document	<p>Signatures In-Lieu of Filing Fee Petition – Used with the “Modified” Closed Primary</p> <p>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.</p> <p>Any registered voter may sign an in-lieu petition for any candidate for whom he or she is eligible to vote. Pursuant to Elections Code §13102 (added in 2002) that means 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. In other words, Democratic candidates may collect signatures from Democratic and nonpartisan voters.</p> <p>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.</p> <p>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.</p> <p>Signatures in lieu of filing fee petitions may be submitted to the elections official on an on-going basis. (Administrative Code §20533)</p> <p>The petitions must be filed with the county elections official in the county where circulated:</p> <ul style="list-style-type: none"> ▪ no later than 5 p.m. on November 5 (for candidates filing Declarations of Intention) and prior to filing a Declaration of Intention, or ▪ no later than 5 p.m. on November 20 (for all other candidates) and prior to filing a Declaration of Candidacy which cannot be done until the nomination signature requirement has been satisfied. <p>No additional signatures may be filed after either Declaration has been filed; 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 December 5, 2003 for candidates filing a Declaration of Candidacy by that date or by August 6, 2004 for Independent candidates running for legislative office.</p>
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	<p>Signatures In-Lieu of Filing Fee Petition – Used with the “Modified” Closed Primary (continued)</p> <p>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.</p> <p>That 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.</p> <p>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 November 10 to December 5. Candidates must obtain a Nomination petition during that period in order to collect any nomination signatures that may be needed.</p> <p><u>The names and addresses of candidates requesting Signature-In-Lieu Petitions is considered public information</u></p> <p style="text-align: right;">(Elections Code §8105, 8106)</p>
Who files	Optional for All candidates
Deadline	<ul style="list-style-type: none"> ◆ November 5, 2003 – Legislative, judicial and independent candidates for legislative office ◆ November 20, 2003 – U.S. Senate, congressional & county candidates

<p>Document</p>	<p>Signatures-In-Lieu Toward Nomination Signatures</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p style="text-align: right;">(Elections Code §8020, 8022, 8040-8041, 8061-8063, 8105-8106)</p>
<p>Who files</p>	<p>All candidates who file Signature-In-Lieu Petitions</p>
<p>Deadline</p>	<ul style="list-style-type: none"> ◆ November 5, 2003 – Legislative, judicial and independent candidates for legislative office ◆ November 20, 2003 – U.S. Senate, congressional & county candidates

<p>Document</p>	<p>Declaration of Intention</p> <p>Candidates for legislative and judicial offices, as well as independent candidates for legislative offices, are required to file a Declaration of Intention to become a candidate prior to filing their Nomination Documents consisting of a Declaration of Candidacy and a Nomination Paper with the requisite number of signatures.</p> <p>Candidates are required to pay the <u>NONREFUNDABLE</u> filing fee or submit in-lieu signatures for all or a portion of the filing fee at the time of filing the Declaration of Intention.</p> <p>Legislative candidates: The Declaration of Intention may be obtained from the county elections official or the Secretary of State. The form must be filed with either the county elections official of the county in which the candidate is a resident or the Secretary of State.</p> <p>Judicial candidates: The Declaration of Intention must be obtained from and filed with the county elections official of the county in which the candidate is a resident.</p> <p style="text-align: right;">(Elections Code §8022, 8023, 8350)</p>
<p>Who files</p>	<p>Legislative & Judicial candidates & Independent Candidates running for Legislative Office</p>
<p>Deadline</p>	<ul style="list-style-type: none"> ◆ November 5, 2003 ◆ Extended to November 10, 2003 if the incumbent does not file.

<p>Document</p>	<p>Declaration of Candidacy</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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 88th day prior to the primary election.</p> <p style="text-align: right;">(Elections Code §8020, 8023, 8028, 8101, 8105)</p>
<p>Who files</p>	<p>All Candidates</p>
<p>Deadline</p>	<ul style="list-style-type: none"> ◆ December 5, 2003 ◆ Extended to December 10, 2003 if the incumbent does not file.

<p>Document</p>	<p>Nomination Paper</p> <p>A Nomination Paper must be filed by all candidates up for election on March 2, 2004. The Nomination Paper consists of a petition that must contain anywhere from 65 to 20 valid signatures depending on the office sought. The petition may be obtained and filed prior to filing the Declaration of Candidacy.</p> <p>The Nomination Paper shall be delivered to the elections official of the county in which the signer resides and is a voter.</p> <p>No more signers shall be secured for any candidate than the maximum specified on beginning on page 52. 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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p style="text-align: right;">(Elections Code §8020, 8041, 8062-8070)</p>
<p>Who files</p>	<p>All Candidates</p>
<p>Deadline</p>	<ul style="list-style-type: none"> ◆ December 5, 2003 ◆ Extended to December 10, 2003 if the incumbent does not file

Document	<p>Candidate's Statement of Qualifications</p> <p>A statement by the candidate describing his or her education and qualifications to be printed in the Voter's Information Pamphlet section of the county Sample Ballot. The statement must be paid for at the time of filing the Declaration of Candidacy unless the district has agreed to pay for the statement. Or, in the case of Legislative candidates filing outside their home county, the deadline is December 5, 2003. The statement may be withdrawn by 5 p.m. on the first business day following the filing deadline. See detailed instructions beginning on page 75.</p> <p style="text-align: right;">(Elections Code §13307)</p>
Who files	<p>Optional for Judicial, Board of Supervisor, and County candidates. Statement is printed in the County Voter Pamphlet.</p> <p>Candidates for Legislative Office who agree to adhere to the spending limitations of Prop. 34 may file a statement for printing in the County Voter Pamphlet.</p>
Deadline	<ul style="list-style-type: none"> ◆ December 5, 2003 ◆ Extended to December 10, 2003 if the incumbent does not file.

Document	<p>Candidate Intention & Campaign Disclosure Forms</p> <p>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 page 109.</p> <p style="text-align: right;">(Government Code §84200, 84218)</p>
Who files	Legislative, Judicial & County Supervisor
Deadline	◆ See March filing schedule on page 115.

Document	Code of Fair Campaign Practices May be voluntarily subscribed to by candidates for public office. See page 98. (Elections Code §20400-20444)
Who files	Optional for all candidates
Deadline	<ul style="list-style-type: none"> ◆ December 5, 2003 ◆ Extended to December 10, 2003 if the incumbent does not file

Document	Statement of Economic Interests (Form 700) When candidates file their Declaration of Candidacy for the March primary, they 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. See page 123. (Gov. Code §87200, 87201, 87500)
Who files	All Candidates EXCEPT U.S. Senate, Congress & Central Committee
Deadline	<ul style="list-style-type: none"> ◆ December 5, 2003 ◆ Extended to December 10, 2003 if the incumbent does not file.

MARCH 2, 2004

PRIMARY ELECTION CALENDAR

All code sections are the 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 date, the deadline falls on a weekend or holiday and, in most cases, has been moved to the next business day.

<p>Sept. 26 - Nov. 5 (E-158 to E-118)</p>	<p>Signatures In Lieu of Filing Fee – Legislative, Judicial & Independent Legislative Candidates</p> <p>Between these dates, legislative, judicial and independent legislative 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.</p> <p style="text-align: right;">§8061, 8106</p> <p>The 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 Elections Department will notify the candidate of any deficiency within 10 days of filing. The candidate may then submit by December 5, 2003 additional signatures to replace those that were rejected or pay the balance of the fee.</p>
<p>Sept. 26 - Nov. 20 (E-158 to E-103)</p>	<p>Signatures in Lieu of Filing Fees – U.S. Senate, Congressional and County Candidates</p> <p>Between these dates, candidates for the offices of U.S. Senate, Congress and County Board of Supervisor 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.</p> <p style="text-align: right;">§8061, 8106</p> <p>The 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 December 5, 2003 additional signatures to replace those that were rejected or pay the balance of the fee.</p>
<p>Sept. 26 (E-158)</p>	<p>Secretary of State to Prepare Notice of Offices on Primary Ballot</p> <p>At least 158 days before the primary, the Secretary of State shall prepare and transmit to each county election’s official a notice designating all the offices, except those of county officers and judges, for which candidates are to be nominated.</p> <p style="text-align: right;">§12103</p>

<p>Sept. 27 – 28 (E-157 to 156)</p>	<p>Rosh Hashanah Jewish New Year</p>
<p>Sept. 30 (E-154)</p>	<p>Registration in New Party The last day any person may register to vote and declare intention to affiliate with a particular party in order to qualify that party to participate in the March 2, 2004 primary election candidate nominating process. §2187, 5100</p>
<p>Sept. 30 – Oct 20* (E-154 to E-135)</p>	<p>Report of Registration – 154-day Report During this period, each county elections official shall prepare to send to the Secretary of State a summary statement of the number of persons registered by party affiliation, by county, and by each political subdivision. §2187</p>
<p>Oct. 4 – Nov. 3 (E-150 to E-120)</p>	<p>Announcement of Selected Presidential Candidates During this period, the Secretary of State will announce and publicize the list of names of those persons, nationally recognized as candidates for President, who will appear on the primary ballot. Following this announcement, the Secretary of State may add candidates, but he may not delete them. Republican, American Independent, Green, Libertarian, Natural Law, and Peace and Freedom candidates may withdraw their names in writing any time through Dec. 25* (E-68), 2003. Democratic candidates may withdraw their names in writing at any time through January 2, 2004. §6041-6043, 6340-6342, 6520-6522, 6720-6724</p>
<p>Oct. 6 (E-148)</p>	<p>Yom Kippur Jewish Day of Atonement</p>
<p>Oct. 13</p>	<p>Columbus Day – Office Closed Office will be closed in observance of the Columbus Day holiday.</p>
<p>Oct. 20 (E-135)</p>	<p>New Party Qualification The last day for the Secretary of State to determine whether a new political party has qualified either by registration or by filing a petition. §5100 Minimum registration required: 77,389 Signatures required for petition: 773,883</p>
<p>Oct. 20 (E-135)</p>	<p>Parties to Adopt Rule for Unaffiliated Voters 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 March 2004 Primary Election. §13102(c)</p>

<p>Oct. 27 - Nov. 5 (E-127 to E-118)</p>	<p>Declaration of Intention – Partisan and Independent Legislative Candidates & Judicial Candidates</p> <p>Between these dates, partisan and independent legislative and judicial candidates file their Declaration of Intention with the Elections Department or Secretary of State's Office. 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.</p> <p>Independent legislative candidates file their Declarations of Intention during this timeframe and then will file their nomination papers during the pre-general timeframe of July 12 to August 6, 2004.</p> <p style="text-align: right;">§8022(a), 8103-8106, 8350</p>
<p>Oct. 27 – Nov. 10 (E-127 to E-113)</p>	<p>Cities Publish Election Notice</p> <p>Between these dates, any city that is consolidating an election with the March primary will publish a Notice of Election one time in a newspaper of general circulation stating:</p> <ul style="list-style-type: none"> • The date and polling hours of the election • Any offices to be filled and any measure to be voted on, including a synopsis of each measure. <p style="text-align: right;">§12101, 12111</p>
<p>Oct. 29 (E-125)</p>	<p>Secretary of State to Prepare Notice Designating Qualified Political Parties</p> <p>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.</p> <p style="text-align: right;">§12103</p>
<p>Nov. 3 - Dec. 3 (E-120 to E-90)</p>	<p>Notice of Election</p> <p>Between these dates the County Clerk, as a matter of policy, will publish a Notice of Election containing the date of the election, the offices to be filled, where nomination papers are available, and the deadline for filing Declarations of Candidacy.</p> <p>Notice of central counting place may be combined with this notice.</p> <p style="text-align: right;">§12109</p>
<p>Nov. 6 - Nov. 10 (E-117 to E-113)</p>	<p>Declaration of Intention— Extension Period for Partisan and Independent Legislative Candidates & Judicial Candidates</p> <p>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.</p> <p>The extension does not apply to offices where the incumbent is termed out, as in the case of the 11th and 15th State Senate districts.</p> <p style="text-align: right;">§8022, 8023, 8350</p>

<p>Nov. 7 (E-116) suggested date</p>	<p>County Central Committees – Republican, Democratic & American Independent Parties By this date, the county elections official shall compute the number of members of the Democratic, Republican and American Independent county central committee to be elected in each supervisorial district. §7226, 7421</p>
<p>Nov. 10 – Dec. 5 (E-113 to E-88)</p>	<p>Declarations of Candidacy & Nomination Papers – All Candidates Between these dates, candidates must file their Declaration of Candidacy and Nomination Papers. All candidates, except those for legislative and judicial offices and independent candidates for legislative office 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. The filing fee is non-refundable. Candidates may authorize in writing that their in-lieu signatures count toward the number of signatures needed for their Nomination Paper pursuant to Elections Code §8061. §8020, 8041, 8061, 8100, 8105, 8106</p>
<p>Nov. 10 - Dec. 5 (E-113 to E-88) plus extension period, if any</p>	<p>No Candidate May Withdraw No candidate whose Declaration of Candidacy has been filed for any primary election may withdraw as a candidate at that primary election. §8800</p>
<p>Nov. 10 - Dec. 5 (E-113 to E-88)</p>	<p>Candidate’s Statement of Qualifications – Judicial, County & State Legislative Candidates Between these dates, candidates for judicial, county & State Legislative offices 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 the Declaration of Candidacy is filed. The statement may not be changed, but may be withdrawn up until 5 p.m. on December 8th if the contest closes on the 5th or December 11th if the contest closes on Dec. 10th after the extension period. §13307</p>
<p>Nov. 10 - Dec. 5 (E-113 to E-88)</p>	<p>Statement of Economic Interests – All Candidates EXCEPT U.S. Senate & Congress Between these dates, candidates filing their Declaration of Candidacy for the March 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. Gov. Code §87200, 87201, 87500</p>
<p>Nov. 11 (E-112)</p>	<p>Veterans Day Holiday – Office Closed Office will be closed in observance of the Veterans Day Holiday</p>

<p>Nov. 17* (E-108)</p>	<p>Sigs In-Lieu – Legislative, Judicial and Independent Legislative Candidates – Last Day to Determine Sufficiency Last day for the county elections official to determine the sufficiency of in-lieu signatures submitted by candidates for state, judicial and legislative 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 either submit a supplemental petition or pay a prorated fee to cover the deficiency. Nomination closes for partisan candidates on December 5, 2003 and for independent candidates on August 6, 2004.</p> <p style="text-align: right;">§8105, 8106.b.3</p>
<p>Dec. 1* (E-93)</p>	<p>Sigs In-Lieu – U.S. Senate, Congress & County Candidates - Last Day to Determine Sufficiency 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 December 5 either submit a supplemental petition or pay a prorated fee to cover the deficiency.</p> <p style="text-align: right;">§8105, 8106.b.3</p>
<p>Dec. 5 (E-88)</p>	<p>Last Day to Submit Resolutions of Consolidation Final deadline for the governing body of a district, city, school or other political subdivision which requests consolidation of a local election for candidates or measures to file the request with the county Elections Department. Earlier filing dates are encouraged in order to meet printing schedules.</p> <p style="text-align: right;">§10401, 10402</p>
<p>Dec. 5 (E-88)</p>	<p>Notification of Mail Ballot Precinct Last day for the county elections official to determine that there are 250 or fewer persons registered to vote in any precinct. The county elections official may then mail to each voter an absent voter's ballot along with a statement that there will be no polling place for the primary election.</p> <p style="text-align: right;">§3005</p>

<p>Dec. 6 - Dec. 10 (E-87 to E-83)</p>	<p>Extension of Nomination Period Extension period for anyone other than the incumbent to file a Declaration of Candidacy and Nomination Petition if the incumbent did not file by December 5. This provision does not apply if there is no incumbent eligible to be elected.</p> <p style="text-align: right;">§8022, 8024, 8204</p> <p>For Legislative & Judicial offices, if the incumbent of the office files a Declaration of Intention, but for any reason fails to qualify for nomination for the office by December 5, 2003, 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 November 5 a written and signed Declaration of Intention to become a candidate for the office.</p> <p>NOTE: This extension does NOT apply...</p> <ol style="list-style-type: none"> 1) when the incumbent for state or judicial office does not file a Declaration of Intention for that same office (there is an earlier filing extension period from Nov. 6 to Nov. 10); 2) when there is no incumbent eligible to be re-elected; 3) to Congressional offices*; 4) to county central committee and county councils* <p>*U.S. Senate, U.S. Representative and 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>Dec. 11, 11 a.m. (E-82)</p>	<p>Randomized Alphabet Drawing Secretary of State and the county Elections Department shall conduct the randomized alphabet drawing to determine the order in which the candidates will appear on the primary election ballot.</p> <p>On this same day, the County Clerk shall conduct a randomized alphabet drawing for the office of State Senate and Assembly.</p> <p style="text-align: right;">§13112</p>
<p>Dec. 15 (E-78)</p>	<p>Write-In Campaign Against Incumbent Judge Running Unopposed 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 January 5 and February 17.</p> <p style="text-align: right;">§8203, 8600-8604</p>
<p>Dec. 20 – 27 (E-73 to 66)</p>	<p>Hanukkah The Festival of Lights is celebrated for eight nights.</p>

<p>Dec. 22* (E-73)</p>	<p>Notice to Candidates of Opponents – Partisan Offices Only On or before this date, but fewer than five days before sending the Certified List of Candidates to county elections officials on Dec. 25, the Secretary of State shall notify each candidate for partisan office of the names, addresses, offices, ballot designations and party affiliations, if applicable, of all other persons who have filed for the same office.</p> <p style="text-align: right;">§8121</p>
<p>Dec. 24 & 25 (E-69 & 68)</p>	<p>Christmas Holiday – Office Closed The office is closed ½ day on the 24th and all day on the 25th in observance of the Christmas holiday.</p>
<p>Dec. 26* (E-68)</p>	<p>Certified List of Candidates 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 federal and state candidates entitled to receive votes within the county at the primary.</p> <p style="text-align: right;">§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 Dec. 11.</p> <p style="text-align: right;">§8149</p>
<p>Jan. 2, 2004 (E-60)</p>	<p>Special Absent Voters' Ballot Applications The first day county elections officials may process applications for special absent voters' ballots. The application must include the statement that the voter cannot vote an absentee ballot during the normal absentee voting period of February 2 to February 24, 2004 because of military or other contingencies that preclude normal mail delivery.</p> <p style="text-align: right;">§300(b), 3103</p>
<p>Jan. 5 – Feb. 17 (E-57 to E-14)</p>	<p>Statement of Write-in Candidacy and Nomination Papers During this period write-in candidates must file their Statement of Write-in Candidacy and Nomination Papers with the county elections official.</p> <p style="text-align: right;">§8601</p>
<p>Jan. 8 (E-54)</p>	<p>54-Day Walking Lists Prepared The County Elections Official will prepare the 54-day voter index that is available for purchase upon written application at a cost of 50 cents per 1,000 names. Lists are available approximately 5 working days after the day the job is run.</p> <p style="text-align: right;">§2184</p>
<p>Jan. 12* (E-52)</p>	<p>Semiannual Campaign Statement 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 early primary.</p> <p style="text-align: right;">Gov. Code §84200, 84218</p>

<p>Jan. 12* (E-52)</p>	<p>Supplemental Independent Expenditure Reports 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. Gov. Code §84203.5, 82031</p>
<p>Jan. 19 (E-45)</p>	<p>Martin Luther King Jr. Day Office Closed in observance of the holiday.</p>
<p>Jan. 19* (E-45)</p>	<p>State Ballot Pamphlets Available By this date, the Secretary of State shall furnish copies of the State Ballot Pamphlet to cities, counties, members of the Legislature, proponents of statewide ballot measures, public libraries, and educational institutions. §9096</p>
<p>Jan. 27 – Feb. 10 (E-40 to E-21)</p>	<p>State Ballot Pamphlet Mailing Between these dates the Secretary of State shall mail state ballot pamphlets to all households in which voters were registered by Friday, Jan. 2 (E-60) §9094</p>
<p>Jan. 27 - Feb. 28* (E-40 to E-10)</p>	<p>Counties Mail Sample Ballots / State Ballot Pamphlet Mailing Between these dates the county elections official shall mail a Sample Ballot and polling place notice to each registered voter. Between these dates the Secretary of State shall mail state ballot pamphlets to all households in which voters were registered by Friday, Jan. 2 (E-60) The county will do a supplemental mailing of state pamphlets to voters who register after Jan. 2. §9094,13303, 13304</p>
<p>Jan. 22 (E-40)</p>	<p>First Pre-Election Statement Last day to file campaign statements for candidates and committees covering the period ending January 17, 2004 (E-45). Gov. Code §84200.5, 84200.7(a)</p>
<p>Jan. 22 (E-40)</p>	<p>Supplemental Independent Expenditure Report 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. Gov. Code §84203.5</p>

Feb. 2 (E-29)	Establish Precinct Boards and Polling Places Last day for the county Elections Department to appoint board members and polling places and provide a copy to each county central committee and make a copy available to the public. <p style="text-align: right;">§12286, 12318</p>
Feb. 2 (E-29)	Last Day to Register to Vote to Ensure Receipt of Sample Ballot Voter registration cards received by this date (postmark NOT ACCEPTABLE) will be added to the rolls and the voters will receive a Sample Ballot booklet prepared by the county elections official. The voters who submit cards after this date will NOT receive a Sample Ballot booklet, only a notice advising the late registrant that he/she will not receive a Sample Ballot and Voter's Information Pamphlet. <p style="text-align: right;">§9094, 13303</p>
Feb. 2 – Feb. 24 (E-29 to E-7)	Vote-by-Mail Ballot Application Period Between these dates voters may apply for a vote-by-mail ballot from the Elections Department. Under certain conditions voters may obtain an absentee ballot after Feb. 24. <p style="text-align: right;">§3001, 3003</p>
Feb. 2 (E-29)	29-Day Walking Lists Prepared The County Elections Official will prepare the 29-day voter index available for purchase upon written application at a cost of 50 cents per 1,000 names. <p style="text-align: right;">§2184</p>
Feb. 15 – March 1 (E-16 to E-1)	Late Contribution/Independent Expenditure Report During this time late contribution/independent expenditure reports must be filed by FAX, telegram, mailgram, guaranteed overnight mail or deliver in person. <p style="text-align: right;">Gov. Code §84203, 84204</p>
Feb. 16 (E-15)	Presidents' Day Holiday – Office Closed
Feb. 15 – March 1 (E-16 to E-1)	24-Hour Statement of Organization Filing Requirement – Recipient Committees & Slate Mailer Organizations 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. <p style="text-align: right;">Gov. Code §84101, 84108</p>

<p>February 17* (E-15)</p>	<p>15-DAY VOTER REGISTRATION</p> <p>The county elections official shall accept an affidavit of registration executed as part of a voter registration card in the forthcoming election if the affidavit is executed on or before the 15th day prior to the election, and if any of the following apply:</p> <ol style="list-style-type: none"> 1) The affidavit is postmarked on or before the 15th day prior to the election and received by mail by the county elections official. 2) The affidavit is submitted to the Department of Motor Vehicles or accepted by any other public agency designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg) prior to the election. 3) The affidavit is delivered to the county elections official by means other than those described in paragraphs (2) and (3) on or before the 15th day prior to the election. <p style="text-align: right;">§2107</p>
<p>Feb. 17 (E-14)</p>	<p>Bilingual Precinct Board Members</p> <p>By this date, the county elections official shall prepare a list of precincts to which bilingual officials were appointed. A copy of this list shall be made available to the public.</p> <p style="text-align: right;">§12303(d)</p>
<p>Feb. 17 – Feb. 24 (E-14 to E-7)</p>	<p>New Residents Registration Period</p> <p>Registration for new residents shall begin the 14th day prior to an election and end on the seventh day prior to election day. This registration must be executed in the county elections office and the new resident shall vote a new resident's ballot containing the contest of President and Vice President only in the election official's office.</p> <p style="text-align: right;">§332, 3400</p>
<p>Feb. 17 – Feb. 24 (E-14 to E-7)</p>	<p>New Citizens Registration Period</p> <p>Registration for new citizens shall begin the 14th day prior to an election and end on the seventh day prior to election day. A new citizen registering to vote after the close of registration shall provide the county elections official with proof of citizenship prior to voting, and shall declare that he or she has established residency in California. New citizens vote a regular ballot.</p> <p style="text-align: right;">§331, 3500, 3501</p>
<p>Feb. 19 (E-12)</p>	<p>Second Pre-Election Statement</p> <p>The last day to file campaign statements for candidates and committees covering the period from 1-18-04 to 2-14-04.</p> <p style="text-align: right;">Gov. Code §84200.5, 84200.7</p>
<p>Feb. 19 (E-12)</p>	<p>Supplemental Independent Expenditure Reports</p> <p>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.</p> <p style="text-align: right;">Gov. Code §84203.5, 82031</p>

Feb.21 (E-10)	Notice of Central Counting Place Last day for county elections official to publish the notice that the general election ballots will be counted at a specified public place. The notice shall be published one time in a newspaper of general circulation in the county. §12109
No later than Feb. 24 (E-7)	Publish Polling Places and Precinct Board Members Not less than one week before the election, the elections official shall publish the list of polling places and precinct board members. §12105-12108, Gov. Code §6061
Feb. 25 – March 2 (E-6 to E)	Absentee Ballots – Late Conditions Voters unable to go to the polls because of illness or disability or because they will be absent from their precinct on election day, may come to the Elections Department and receive an absentee ballot over the counter. Voters may designate in writing a representative to bring the absentee ballot to them. The voter may either personally or through the authorized representative return the ballot to the Elections Department or polling place in the county. §3021
Feb. 27 (E-4)	County Campaign Disclosure Statement – 3rd Pre-Election Statement The last day for county candidates to file their disclosure statement for the period from 2-15-04 to 2-26-04. Santa Cruz County Code §8.04.080(2)c
Feb. 28 & 29 (E-3 to E-2)	Weekend Voting The Santa Cruz County Elections Department and Watsonville City Hall will be open from 9 a.m. to 5 p.m. for weekend voting.
March 2 (E)	Primary Election Day Polls open at 7 a.m. and close at 8 p.m. §1000, 14212
March 4 – 30 (E+2 to E+28)	Official Canvass The official canvass of precinct returns is to be completed during this time. §15301, 15372
March 22 (E+20)	Presidential Primary Delegate Counts to Secretary of State The results for all persons voted for at the presidential primary for delegates to national conventions shall be canvassed and shall be sent within 20 days after the election. §15375(c)
March 30 (E+28)	Statement of Vote to Board of Supervisors – Certificates of Election Prepared The elections official 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 county elections official shall make and deliver to each person elected a certificate of election. §15372, 15400-15401

<p>March 30 (E+28)</p>	<p>Nonpartisan Candidates Elected if Majority Vote Received 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 style="text-align: right;">§8140</p>
<p>March 30 (E+28)</p>	<p>No Candidate Elected to Nonpartisan Office 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 style="text-align: right;">§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 style="text-align: right;">§8142</p>
<p>5 Days After Canvass</p>	<p>Recount May Be Requested</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.</p> <p>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).</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 style="text-align: right;">§15600-15642</p>
<p>Varies between 10 days to 6 months following the certification of the vote</p>	<p>Contesting Election</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> <ol style="list-style-type: none"> a) That the precinct board or any member thereof was guilty of malconduct. b) That the person who has been declared elected to an office was not, at the time of the election, eligible to that office. 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). d) That illegal votes were cast. e) 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. f) That there was an error in the vote-counting programs or summation of ballot counts. <p style="text-align: right;">§16100</p>

	<p>Contesting Election (continued)</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 style="text-align: right;">§16401</p>
<p>Period Following Election</p>	<p>Document Retention</p> <p>Nomination documents and signatures in-lieu of filing fee petitions (if applicable) shall be held during the term of office for which they were filed and for four years after the expiration of the term. They may be destroyed as soon as practicable thereafter provided no legal action or proceeding is pending.</p> <p>Since the March 2004 election has federal offices on the ballot, precinct supplies and voted ballots must be preserved for 22 months following the election. If no legal action is pending at the time, the documents may be destroyed or recycled. Unused ballots may be destroyed or recycled after the March 2004 election.</p>
<p>Period Following Election</p>	<p>Document Retention (continued)</p> <p>Initiative, referendum and recall petitions must be preserved for eight months following certification of the election for which the petition qualified or eight months after final examination of the petition by the clerk. If no legal action or proceeding is then pending, the petitions may be destroyed as soon as practicable.</p> <p style="text-align: right;">Elections Code Division 17, commencing with §17000.</p>
<p>April 6 (E+35)</p>	<p>Statement of Vote to Secretary of State</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;">§15375</p>
<p>April 9 (E+38)</p>	<p>Certificates of Election or Nomination to be prepared</p> <p>The county elections official 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 nonpartisan offices voted for wholly within one county.</p> <p style="text-align: right;">§8145, 8146</p> <p>The Secretary of State will prepare certificates of nomination for Congressional and Legislative candidates.</p> <p style="text-align: right;">§8147</p>

<p>April 30 (Date fixed by law)</p>	<p>Quarterly Statements by Ballot Measure Committees All committees that have qualified as recipient committees and are primarily formed to support or oppose the qualification, passage or defeat of any measure must file a quarterly campaign statement for the period from January 1 to March 31, during any semiannual period before the election in which the measure is not being voting upon. Gov. Code §84202.3</p>
<p>August 2* (E-151)</p>	<p>Semiannual Campaign Statement Last day to file semiannual campaign statements, if required, by all candidates and committees. Gov. Code §84200, 84218</p>
<p>August 2* (E-151)</p>	<p>Supplemental Independent Expenditure Reports 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. Gov. Code §84203.5, 82031</p>

NOVEMBER 2, 2004 GENERAL ELECTION CALENDAR

All code sections are the 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 date, the deadline falls on a weekend or holiday and, in most cases, has been moved to the next business day.

<p>Sept. 26 - Nov. 5 2003 (E-403 to E-363)</p>	<p>Signatures In Lieu of Filing Fee — Independent Legislative Candidates Between these dates, independent 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. Elections Department has until Nov. 17* to determine the sufficiency of the in-lieu signatures submitted by independent candidates. §8105, 8106, 8302, 8405</p>
<p>Oct. 27 - Nov. 5 2003 (E-373 to E-363)</p>	<p>Declaration of Intention – Independent Legislative Candidates Independent candidates for legislative offices must file Declarations of Intention during the pre-primary filing period. Filing extends to November 15 if the incumbent does not file. §8022(a), 8350</p>
<p>April 23 – July 22 2004 (E-193 to E-103)</p>	<p>Signatures In-Lieu of Filing Fees – Independent Candidates Running for U.S. Senate and Congress During this period, a candidate for U.S. Senate and Congress may obtain his or her forms from the county elections official or the Secretary of State for circulating petitions to secure signatures in lieu of all or part of their filing fee. §8061, 8106, 8302, 8405</p>

<p>June 7 – Aug. 6 (E-148 to E-88)</p>	<p>Nomination Papers — Independent Candidates Between these dates, independent candidates for partisan office shall circulate their Nomination petitions to obtain signatures and submit them to the Elections Department for examination. If the district falls within two or more counties, the Elections Department shall report within two working days to the Secretary of State the total number of signatures submitted. §8106</p> <p>Independent candidates must pay the nonrefundable filing fee or present a sufficient number of valid in-lieu signatures at the time they receive their Nomination Paper from the county Elections Department.</p> <p>Independent candidates for legislative offices must have filed Declarations of Intention and satisfied their filing fee (with signatures or money, or a combination) during the pre-primary filing period or they may not file Nomination Papers. Supplemental signatures-in-lieu or the balance due on the filing fee must be paid before Nomination Papers can be filed. §8350, 8403, 8454</p> <p>The Elections Department shall forward the nomination papers to the Secretary of State between July 6 – Sept. 4.</p>
<p>June 7 – Aug. 6 (E-148 to 88)</p>	<p>Statement of Economic Interests 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. Gov. Code §87200, 87201, 87500</p>
<p>June 28 – Jul 12 (E-127 to E-113)</p>	<p>Cities Publish Election Notice Between these dates, any city that is consolidating an election with the November General will publish a Notice of Election one time in a newspaper of general circulation stating:</p> <ul style="list-style-type: none"> • The date and polling hours of the election • Any offices to be filled and any measure to be voted on, including a synopsis of each measure. <p>§12101, 12111</p>
<p>June 30 (E-125)</p>	<p>Special Districts & Cities Deliver Notice of Election to County Clerk Between these dates the County Clerk, as a matter of policy, will publish a Notice of Election containing the date of the election, the offices to be filled, where nomination papers are available, and the deadline for filing Declarations of Candidacy. §10509, 10522, 10524</p> <p>A clause to determine a tie vote is included in the “Notice of Election”. §15651</p>

<p>July 2 (E-123)</p>	<p>Schools to Deliver Specifications of the Election Order Last day for a school board to deliver a resolution known as the “Specifications of the Election Order” and file it with the county Superintendent of Schools and county elections official, stating the date and purpose of the election. Ed. Code §5322</p> <p>A clause to determine a tie vote is included in the “Specifications of the Elections Order”. Ed. Code §5016</p>
<p>July 5* (E-120)</p>	<p>Independence Day– Office Closed Office closed in observance of the Independence Day holiday.</p>
<p>July 5 – Aug 4 (E-120 to E-90)</p>	<p>Notice of Election Between these dates the County Clerk, as a matter of policy, will publish a Notice of Election containing the date of the election, the offices to be filled, where nomination papers are available, and the deadline for filing Declarations of Candidacy. Notice of central counting place may be combined with this notice. §12109</p>
<p>July 12 – Aug. 6 (E-113 to E-88)</p>	<p>Candidate Nomination Period – School/Special Districts Candidate filing period for candidates running for special and school district offices. Forms are obtained from and filed with the county Elections Department. §10510, 13307, 13311</p>
<p>Jul 12 – Aug. 6 (E-113 to E-88)</p>	<p>Candidate’s Statement of Qualifications – School/Special Districts Between these dates, candidates 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 the Declaration of Candidacy is filed. The statement may not be changed, but may be withdrawn up until 5 p.m. on August 9th if the contest closes on the 6th or August 12th if the contest closes on the 11th after the extension period. §13307</p>
<p>Jul 12 – Aug. 6 (E-113 to E-88)</p>	<p>Candidate’s Statement – Judicial & County Nominees 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. Obtain cost information from the Elections Department. §13307</p>
<p>July 27 (E-98)</p>	<p>Change of Candidate’s Ballot Designation Last day for candidates to request in writing to both the Secretary of State and Elections Department that a different ballot designation be used for the November election than the designation used at the March primary election. §13107</p>

<p>Aug. 2* (E-92)</p>	<p>Semiannual Campaign Statement Last day to file semiannual campaign statements, if required, by all candidates and committees. Gov. Code §84200, 84218</p>
<p>Aug. 2* (E-92)</p>	<p>Supplemental Independent Expenditure Reports 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</p>
<p>Aug. 2* (E-92)</p>	<p>Signatures-In-Lieu Sufficiency – Independent Candidates Last day for the county elections official to determine the sufficiency of the in-lieu signatures submitted by independent candidates for U.S. Senate and Congress. 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 6 either submit a supplemental petition or pay a prorated fee to cover the deficiency. §8106(b)(3)</p>
<p>Aug. 6 (E-88)</p>	<p>Notification of Mail Ballot Precinct Last day for the county elections official to determine that there are 250 or fewer persons registered to vote in any precinct. The county elections official may then mail to each voter a vote-by-mail ballot along with a statement that there will be no polling place for the general election. §3005</p>
<p>Aug. 12, 11 a.m. (E-82)</p>	<p>Randomized Alphabet Drawing Secretary of State and the county Elections Department 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 County Clerk shall conduct a randomized alphabet drawing for the office of State Senate and Assembly. §13112</p>
<p>Aug. 26 (E-68)</p>	<p>Certified List of Candidates – Federal and State Offices 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</p>
<p>Sept. 3 (E-60)</p>	<p>Special Absent Voters' Ballot Applications The first day county election officials may process applications for special absent voters' ballots. The application must include the statement that the voter cannot vote an absentee ballot during the normal absentee voting period of October 4 to October 26, 2004 because of military or other contingencies that preclude normal mail delivery. §300(b), 3103</p>
<p>Sept. 6 (E-57)</p>	<p>Labor Day – Office Closed Office closed in observance of Labor Day.</p>

<p>Sept. 7* – Oct. 19 (E-57 to E-14)</p>	<p>Statement of Write-in Candidacy and Nomination Papers During this period write-in candidates must file their Statement of Write-in Candidacy and Nomination Papers with the county elections official. §8601</p>
<p>Sept. 9 (E-54)</p>	<p>54-Day Walking Lists Prepared The County Elections Official will prepare the 54-day voter index that is available for purchase upon written application at a cost of 50 cents per 1,000 names. §2184</p>
<p>Sept. 23 – Oct. 12 (E-40 to E-21)</p>	<p>Counties Mail Sample Ballots / State Ballot Pamphlet Mailing Between these dates the county elections official shall mail a Sample Ballot and polling place notice to each registered voter. Between these dates the Secretary of State shall mail state ballot pamphlets 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</p>
<p>Oct. 5 (E-28)</p>	<p>First Pre-Election Statement Last day to file campaign statements for candidates and committees covering the period ending Sept. 30 (E-33). Gov. Code §84200.5, 84200.7b</p>
<p>Oct. 5 (E-28)</p>	<p>Supplemental Independent Expenditure Reports 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</p>
<p>Oct. 4 (E-29)</p>	<p>Establish Precinct Boards and Polling Places Last day for the county Elections Department to appoint board members and polling places and provide a copy to each county central committee and make a copy available to the public. §12286, 12318</p>
<p>Oct. 4 (E-29)</p>	<p>Last Day to Register to Vote to Ensure Receipt of Sample Ballot Voter registration cards received by this date (postmark NOT ACCEPTABLE) will be added to the rolls and the voters will receive a Sample Ballot booklet prepared by the county elections official. The voters who submit cards after this date will NOT receive a Sample Ballot booklet, only a notice advising the late registrant that he/she will not receive a Sample Ballot and Voter's Information Pamphlet. §9094, 13303</p>
<p>Oct. 4 - Oct. 26 (E-29 to E-7)</p>	<p>Vote-by-Mail Ballot Application Period Between these dates voters may apply for a vote-by-mail ballot from the Elections Department. Under certain conditions voters may obtain an absentee ballot after Oct. 26. §3001, 3003</p>

<p>Oct. 4 (E-29)</p>	<p>29-Day Walking Lists Prepared The County Elections Official will prepare the 29-day voter index available for purchase upon written application at a cost of 50 cents per 1,000 names.</p> <p style="text-align: right;">§2184</p>
<p>Oct. 11 (E-22)</p>	<p>Columbus Day – Office Closed</p>
<p>Oct. 18* – Nov. 1 (E-16 to E-1)</p>	<p>Late Contribution/Independent Expenditure Report During this time late contribution/independent expenditure reports must be filed by FAX, telegram, mailgram, guaranteed overnight mail or deliver in person.</p> <p style="text-align: right;">Gov. Code §84203, 84204</p>
<p>Oct. 18* – Nov. 1 (E-16 to E-1)</p>	<p>24-Hour Statement of Organization Filing Requirement – Recipient Committees & Slate Mailer Organizations 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.</p> <p style="text-align: right;">Gov. Code §84101, 84108</p>
<p>October 18 (E-15)</p>	<p>15-DAY VOTER REGISTRATION The county elections official shall accept an affidavit of registration executed as part of a voter registration card in the forthcoming election if the affidavit is executed on or before the 15th day prior to the election, and if any of the following apply:</p> <ol style="list-style-type: none"> 4) The affidavit is postmarked on or before the 15th day prior to the election and received by mail by the county elections official. 5) The affidavit is submitted to the Department of Motor Vehicles or accepted by any other public agency designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg) prior to the election. 6) The affidavit is delivered to the county elections official by means other than those described in paragraphs (2) and (3) on or before the 15th day prior to the election. <p style="text-align: right;">§2107</p>
<p>Oct. 19 – Oct. 26 (E-14 to E-7)</p>	<p>New Residents Registration Period Registration for new residents shall begin the 14th day prior to an election and end on the seventh day prior to election day. This registration must be executed in the county elections office and the new resident shall vote a new resident’s ballot containing the contest of President and Vice President only in the election official’s office.</p> <p style="text-align: right;">§332, 3400</p>

<p>Oct. 19 – Oct. 26 (E-14 to E-7)</p>	<p>New Citizens Registration Period Registration for new citizens shall begin the 14th day prior to an election and end on the seventh day prior to election day. A new citizen registering to vote after the close of registration shall provide the county elections official with proof of citizenship prior to voting, and shall declare that he or she has established residency in California. New citizens vote a regular ballot.</p> <p style="text-align: right;">§331, 3500, 3501</p>
<p>Oct. 21 (E-12)</p>	<p>Second Pre-Election Statement The last day to file campaign statements for candidates and committees covering the period from 10-1-04 to 10-16-04.</p> <p style="text-align: right;">Gov. Code §84200.5, 84200.8</p>
<p>Oct. 21 (E-12)</p>	<p>Supplemental Independent Expenditure Reports 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 style="text-align: right;">Gov. Code §84203.5, 82031</p>
<p>Oct. 25* (E-10)</p>	<p>Notice of Central Counting Place Last day for county elections official to publish the notice that the general election ballots will be counted at a specified public place. The notice shall be published one time in a newspaper of general circulation in the county.</p> <p style="text-align: right;">§12109</p>
<p>No later than Oct. 26 (E-7)</p>	<p>Publish Polling Places and Precinct Board Members Not less than one week before the election, the elections official shall publish the list of polling places and precinct board members.</p> <p style="text-align: right;">§12105-12108, Gov. Code §6061</p>
<p>Oct. 27 – Nov. 2 (E-6 to E)</p>	<p>Absentee Ballots – Late Conditions Voters unable to go to the polls because of illness or disability or because they will be absent from their precinct on election day, may come to the Elections Department and receive an absentee ballot over the counter. Voters may designate in writing a representative to bring the absentee ballot to them. The voter may either personally or through the authorized representative return the ballot to the Elections Department or polling place in the county.</p> <p style="text-align: right;">§3021</p>
<p>Oct. 29 (E-4)</p>	<p>County Campaign Disclosure Statement – 3rd Pre-Election Statement The last day for county candidates to file their disclosure statement for the period ending 10-17-04 to 10-28-04.</p> <p style="text-align: right;">Santa Cruz County Code §8.04.080(2)c</p>

<p>Oct. 31 (E-2)</p>	<p>Quarterly Statements by Ballot Measure Committees All committees primarily formed to support or oppose the qualification, passage or defeat of a ballot measure must file quarterly campaign statements for the period July 1 through Sept. 30 during any semiannual period in which the measure is not being voted upon. Following the election, such committees are only required to file semiannual statements unless they make contributions or expenditures to qualify, support or oppose other measures, in which case they would have an ongoing duty to file quarterly statements.</p> <p style="text-align: right;">Gov. Code §84202.3</p>
<p>Oct. 30 – Oct. 31 (E-3 to E-2)</p>	<p>Weekend Voting The Santa Cruz County Elections Department and Watsonville City Hall will be open from 9 a.m. to 5 p.m. for weekend voting.</p>
<p>Nov. 2 (E)</p>	<p>General Election Day Polls open at 7 a.m. and close at 8 p.m.</p> <p style="text-align: right;">§1000, 14212</p>
<p>Nov. 2 (E)</p>	<p>Unopposed Judge: Superior Court On this date, the County Clerk declares elected any incumbent superior or municipal 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.</p> <p style="text-align: right;">§8203</p>
<p>Nov. 4 – Nov. 30 (E+2 to E+28)</p>	<p>Official Canvass The official canvass of precinct returns is to be completed during this time.</p> <p style="text-align: right;">§15301, 15372</p>
<p>Nov. 30 (E+28)</p>	<p>Statement of Vote to Board of Supervisors – Certificates of Election Prepared The elections official shall prepare a certified statement of the results of the election and submit it to the Board of Supervisors.</p> <p>The Board of Supervisors shall declare the winners for each office and the results of each measure under its jurisdiction. The county elections official shall make and deliver to each person elected a certificate of election.</p> <p style="text-align: right;">§15372, 15400-15401</p>
<p>5 days after canvass</p>	<p>Recount May Be Requested 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.</p> <p>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).</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 style="text-align: right;">§15620 – 15634</p>

<p>Varies between 10 days to 6 months following the certification of the vote</p>	<p>Contesting Election 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"> a) that the precinct board or any member thereof was guilty of malconduct. b) That the person who has been declared elected to an office was not, at the time of the election, eligible to that office. 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). d) That illegal votes were cast. e) 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. f) That there was an error in the vote-counting programs or summation of ballot counts. <p style="text-align: right;">§16100</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"> 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. b) In all cases of tie, 20 days. c) In cases involving presidential electors, 10 days. d) In all other cases, 30 days. <p style="text-align: right;">§16401</p>
<p>Dec. 6 (E+34)</p>	<p>State Senators and State Assemblymembers Assume Office Terms begin on the first Monday in December following the election.</p> <p style="text-align: right;">CA. Const. Art. IV §2</p>
<p>Dec. 7 (E+35)</p>	<p>Statement of Vote to Secretary of State 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;">§15375</p>
<p>Dec. 13* (E+41)</p>	<p>Certificates of Election The Secretary of State shall issue certificates of election to persons elected to U.S. Senate, Congress, and legislative offices.</p> <p style="text-align: right;">§15503-15504</p>
<p>Jan. 3, 2005 (E+62)</p>	<p>County Supervisors & Judges Assume Office Terms begin at noon on the first Monday after January 1 succeeding their election.</p> <p style="text-align: right;">CA. Const. Art. VI §16; Gov. Code §24200</p>

<p>Period Following Election</p>	<p>Document Retention</p> <p>Nomination documents and signatures in-lieu of filing fee petitions (if applicable) shall be held during the term of office for which they were filed and for four years after the expiration of the term. They may be destroyed as soon as practicable thereafter provided no legal action or proceeding is pending.</p> <p>Since the November 2004 election has federal offices on the ballot, precinct supplies and voted ballots must be preserved for 22 months following the election. If no legal action is pending at the time, the documents may be destroyed or recycled. Unused ballots may be destroyed or recycled after the November 2004 election.</p> <p>Initiative, referendum and recall petitions must be preserved for eight months following certification of the election for which the petition qualified or eight months after final examination of the petition by the clerk. If no legal action or proceeding is then pending, the petitions may be destroyed as soon as practicable.</p> <p style="text-align: right;">Elections Code Division 17, commencing with §17000</p>
<p>Jan. 31, 2005 (E+90)</p>	<p>Semiannual Campaign Statement</p> <p>Last day to file semiannual campaign statements, if required, by all candidates and committees.</p> <p style="text-align: right;">Gov. Code §84200, 84218</p>
<p>Jan. 31, 2005 (E+90)</p>	<p>Supplemental Independent Expenditure Reports</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 style="text-align: right;">Gov. Code §84203.5, 82031</p>

OFFICES ON THE MARCH 2, 2004 BALLOT

PARTISAN

Office	Incumbent	Jurisdiction	Term	Begins	Qualifications
President	George Bush (R)	Federal	4 years	Jan. 20, 2005 (noon)	U.S. citizen, resident of the United states for 14 years, 35 years old. (U.S. Const. Art. II, §3)
U.S. Senator	Barbara Boxer (D)	Federal	6 years	Jan. 3, 2005 (noon)	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. 1, 5)
U.S. Representative in Congress	Anna Eschoo (D)	14 th District	2 years	Jan. 3, 2005 (noon)	At least 25 years old, registered voter, U.S. citizen for at least 7 years, resident of the state when elected. (U.S. Const., Art. 1, 2)
U.S. Representative in Congress	Sam Farr (D)	17 th District	2 years	Jan. 3, 2005 (noon)	At least 25 years old, registered voter, U.S. citizen for at least 7 years, resident of the state when elected. (U.S. Const., Art. 1, 2)
State Senate	Byron Sher (D) (termed out in 2004)	11 th District	4 years	Dec. 6, 2004	U.S. citizen, registered voter in the district at the time Nomination Papers are issued. ¹ 2 term limit (total 8 years)
State Senate	Bruce McPherson (R) (termed out in 2004)	15 th District	4 years	Dec. 6, 2004	U.S. citizen, registered voter in the district at the time Nomination Papers are issued. ¹ 2 term limit (total 8 years)
State Assembly	John Laird (D)	27 th District	2 years	Dec. 6, 2004	U.S. citizen, registered voter in the district at the time Nomination Papers are issued. ¹ 3 term limit (total 6 years)
State Assembly	Simon Salinas (D)	28 th District	2 years termed out	Dec. 6, 2004	U.S. citizen, registered voter in the district at the time Nomination Papers are issued. ¹ 3 term limit (total 6 years)

¹ 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.

CENTRAL COMMITTEES/COUNTY COUNCILS

Office	Incumbents	Jurisdiction	Term	Begins	Qualifications
Central Committees: ♦ Republican ♦ Democratic ♦ American Independent	Names on file at the Elections Department	County – elected by Supervisorial District	2 years	See party code	U.S. citizen, resident eligible to vote in the Supervisorial District the candidate seeks to represent. (Elec. Code §7200, 7209, 7242, 7407, 7420, 7443, 7650, 7654, 7670, 7692,8001)
Central Committees County Councils*: ♦ Libertarian ♦ Natural Law ♦ Peace & Freedom	Names on file at the Elections Department	County – elected at large	2 years	See party code	U.S. citizen, resident eligible to vote in the county. Candidates who qualify for party nomination to partisan public office will automatically appear on the ballot for central committee. (Elec. Code §7750, 7753, 7882, 8001)
County Council ♦ Green	Names on file at the Elections Department	County – elected at large	2 years	See party code	U.S. citizen, resident eligible to vote in the county. (Elec. Code §7750, 7753, 7882, 8001)

*The Reform Party was disqualified as a political party eligible to participate in the primary because at the November 2002 general election none of the Reform Party candidates received at least 2 percent of the entire vote of the state. The Reform Party and the Pot Party are currently attempting to qualify for the March 2004 Primary. The parties must obtain the required number of registered voters (77,389) by September 30, 2003 (E-154) or signatures required for petition (773,883) affiliating with their party with certified counts by October 24, 2003 (E-135, deadline falls on a weekend so moved to the next business day) in order to participate in the March 4, 2004 Primary. (Elec. Code §5100)

PARTISAN OFFICE PARTY AFFILIATION REQUIREMENT

Any candidate for partisan office or for membership on a county central committee or county council shall have been registered with the political party of the nomination for which he or she seeks continuously for not less than three months prior to the time of presentation of his/her Declaration of Candidacy, or, if eligible to register for less than three months, for as long as he or she has been eligible to register to vote in California. The candidate shall not have been registered as affiliated with a political party other than that party for 12 months immediately prior to the filing of the Declaration of Candidacy. This party affiliation requirement is not applicable for candidates of political parties participating in their first direct primary election subsequent to their qualification as political parties. (Elections Code §8001)

NONPARTISAN

Office	Incumbent	Jurisdiction	Term	Begins	Qualifications
County Supervisors	Jan Beautz	1 st District	4 years	Jan. 3, 2005	U.S. citizen, registered voter of the district which the candidate seeks to represent for at least 30 days preceding the deadline for filing nomination documents for the office. Must reside in the district during incumbency. (Gov. Code §24001, 24200, 25041)
County Supervisors	Ellen Pirie	2 nd District	4 years	Jan. 3, 2005	
County Supervisors	Jeff Almquist	5 th District	4 years	Jan. 3, 2005	
Superior Court Judge	Richard McAdams	County	6 years	Jan. 3, 2005	U.S. citizen, registered voter, 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, resident in the county in which appointed or elected. DOCUMENTATION REQUIRED. (Elec. Code §13, 13.5, CA Const., Art. VI, §13, 13.5, 16; Gov. Code §24001)
Superior Court Judge	Robert Attack	County	6 years	Jan. 3, 2005	
Superior Court Judge	Michael Barton	County	6 years	Jan. 3, 2005	
San Benito County Board of Education	Guadalupe V. Candelaria	TA 2	4 years	Dec. 3, 2005	Registered voter of the district residing within the trustee area. (Ed. Code §5012, 5030, 35107)

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 28 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. (Added by Stats. 1994)

COURT CASES

Voter Registration and Establishment of Domicile. Walters v. Weed (1988) AKA "UCSC Student Voting Case." 45 Cal.3rd.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. For further information about conflict of interest or incompatibility of offices, contact the Fair Political Practices Commission’s website at www.fppc.ca.gov, or phone toll free 1-866-275-3772.

FILING FEES

When Filing Fee is Paid

Candidates for State Senate, State Assembly and Judicial offices must pay the filing fee at the time they file their Declaration of Intention.

Candidates for all other offices are required to pay the filing fee at the time they pick up their Declaration of Candidacy and Nomination Petition. (Elections Code §8105)

Where Filing Fee is Paid and To Whom It Is Payable

STATE SENATE/ASSEMBLY/CONGRESS: Checks are made payable to the “Secretary of State.” Counties will forward the fee to the Secretary of State.

SUPERIOR COURT JUDGE/BOARD OF SUPERVISORS/COUNTY OFFICES: Checks are made payable to the “County Clerk.” (Elections Code §8103, 8104)

THE FILING FEE MAY 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)

Filing Fees Paid in Money

Amount of Filing Fee - Filing fees are shown in the table on beginning on page 52. 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. (Elections Code §8103, 8104, 8604)

The filing fee is not refundable. If, for any reason, the candidate fails to qualify, the filing fee is forfeited. (Elections Code §8105)

Returned Checks – If the filing fee is paid with a personal check that is returned without payment, the county Elections Department 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. Failure to do so will invalidate the individual's candidacy, and the candidate's name will not appear on the ballot.

Signatures In-Lieu of Filing Fee

The Petition Alternative –The law provides an alternative to paying the filing fee in money. Candidates may collect signatures of voters to cover the entire cost of the filing fee or some portion thereof. See the tables on the following pages for the number of signatures and the value of each. In addition, read the “Guidelines to Gathering Signatures,” in this manual prior to obtaining a signature.

If the petition is found to contain fewer valid signatures than the face number, the candidate must make up the deficiency before the close of the nomination period by submitting a supplemental Signatures-In-Lieu petition or by paying the balance of the filing fees in money. (Elections Code §8106)

Obtaining the Petition Form – A 2-page master petition form will be available from the Elections Department beginning September 26, 2003. The form will be issued directly to the candidate or to someone bearing written authorization from the candidate. There is no charge for the master form; however, the candidate will be responsible for duplicating as many copies as he/she needs. The two pages should be duplicated front to back to prohibit the two pages from being separated. (Elections Code §8106)

The Elections Department 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.

AMOUNT OF FILING FEE AND SIGNATURES REQUIRED

DEMOCRATIC AND REPUBLICAN CANDIDATES:

Office	Salary	Filing Fee ^a	Sig-In-Lieu ^b	Value/Sig	Sponsors
U.S. Senator	\$154,700	\$3,094 (2%)	10,000	\$0.3094	65 – 100
U.S. Senator (minor parties)	\$154,700	\$3,094 (2%)	150	\$20.62667	65 – 100
U.S. Congress (14 th & 17 th Dist.)	\$154,700	\$1,547 (1%)	3,000	\$0.5157	40 – 60
State Senate (11 th & 15 th Dist.)	\$99,000	\$990.00 (1%)	3,000	\$0.33	40 – 60
State Assembly (27 th & 28 th Dist.)	\$99,000	\$990.00 (1%)	1,500	\$0.66	40 – 60
Central Committee / County Council	No Filing Fee requirement				20 - 40

^a Based on either 2 or 1 percent of salary as indicated.

^b The number of signatures in-lieu of paying the filing fee are for Democratic and Republican candidates only. The number of signatures required is determined pursuant to Elections Code §8106. For minor parties, please see the table on the following page.

NONPARTISAN CANDIDATES:

Pursuant to E. C. § 8106(a)(4): If the number of registered voters in the district in which he/she seeks nomination is 2,000 or more, a candidate may submit a petition containing four signatures of registered voters for each dollar of the filing fee, or 10 percent of the total of registered voters in the district in which he/she seeks nomination, whichever is less.

The number of Signatures-in-lieu needed to cover the filing fee for candidates running for county supervisor is based on 10% of the total number of registered voters in the district, while the number of signatures-in-lieu required for candidates running for Superior Court Judge is based on the formula of \$.25 per signature.

Office	Salary	Filing Fee	Reg. Voters	Sig-In-Lieu	Value/Sig	Sponsors
Supervisor (1 st Dist.)	\$83,143	\$831.43	27,215	2,722	\$.30	20 – 40
Supervisor (2 nd Dist.)	\$83,143	\$831.43	27,659	2,766	\$.30	20 – 40
Supervisor (5 th Dist.)	\$83,143	\$831.43	29,085	2,906	\$.28	20 – 40
Superior Court Judge	\$139,476	\$1,395(1%)	126,541	5,576	\$0.25	20 – 40
San Benito County Brd. of Ed. – TA 2	No filing fee for this office.					

MINOR PARTY CANDIDATES:

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 any party, minor party candidates must obtain signatures-in-lieu from voters who are registered with the same political party.

OFFICE	Am. Independent			Green			Libertarian			Natural Law			Peace & Freedom		
	Reg.	Sigs	Value	Reg.	Sigs	Value	Reg.	Sigs	Value	Reg.	Sigs	Value	Reg.	Sigs	Value
14 th Congress	4,979	150	10.31333	5,530	150	10.31333	2,776	150	10.31333	408	41	37.73171	1,090	109	14.19
17 th Congress	5,120	150	10.31333	6,746	150	10.31333	1,756	150	10.31333	320	32	48.34375	932	94	16.46
11 th Senate	7,410	150	6.60	9,395	150	6.60	3,566	150	6.60	569	57	17.36842	1,520	150	6.60
15 th Senate	8,557	150	6.60	5,861	150	6.60	2,856	150	6.60	512	52	19.03846	1,178	118	8.38983
27 th Assembly	4,203	150	6.60	7,983	150	6.60	2,005	150	6.60	318	32	30.93750	766	77	12.85714
28 th Assembly	2,870	150	6.60	786	79	12.53165	727	73	13.56164	135	14	70.71429	500	50	19.80

GUIDELINES FOR GATHERING SIGNATURES

(Read before obtaining 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 Elections Department 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 Santa Cruz County cannot obtain signatures from voters who reside in Monterey County. (Elections Code §8065, 8066)

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. (Elections Code §106)

Affidavit of Circulator (Elections Code §104): All petition circulators must complete, in his/her own hand:

- 1) The printed name of the circulator.
- 2) The residence 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.
- 3) 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:

- 1) That the circulator circulated that section and witnessed the appended signatures being written.
- 2) 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. (Elections Code §100)

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. (Elections Code §8068)

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.

So, who is a voter eligible to vote for?

Under California's new modified closed primary created by SB 28 (Peace), Elections Code §2151 now states that "...no person shall be entitled to vote the ballot of any qualified political party at any primary election unless he or she has stated the name of the party with which he or she intends to affiliate **OR** unless he or she has declined to state a party affiliation and the political party, by party rule duly noticed to the Secretary of State, authorizes a person who has declined to state a party affiliation to vote the ballot of that political party." (memo #01067)

Call the Elections Department at 831-454-2060 or 1-888-DTS-VOTE or visit our website at www.votescount.com for a list of parties that have adopted rules authorizing a person who has declined to state a party affiliation to vote the ballot of that political party.

So, who is considered a "decline to state" voter?

According to legal counsel with Secretary of State's Office (memo #01126), unless a voter is registered with a qualified party, the voter is deemed to be **not affiliated** with a party. Since only qualified parties can participate in an election, all voters registered with non-qualified parties, as well as voters who have registered as Decline to State and Nonpartisan, shall be deemed not affiliated with a political party. These voters will be allowed to vote in a partisan primary of their choice where the party rules allow it.

As a result, those voters registering with the Communist Party, Free Party, Vision Party, Rock and Roll Party etc. will be deemed to be not affiliated with a qualified political party, and thereby entitled to vote in those partisan primaries where party rules allow such cross-over voting. And, therefore, these non-affiliated voters would be eligible to sign Petitions In-Lieu along with voters who are affiliated with the party of the candidate.

Minor Party Candidates – Signers of In-Lieu petitions for minor party candidates, who are obtaining 150 or fewer signatures-in-lieu, must be affiliated with the same party as that of the candidate. (Elections Code §8106(a)(6)) Minor party candidates are allowed to obtain Signatures-In-Lieu from all parties, if they collect the larger number of signatures required for the office.

Signers shall be voters in the district or political subdivision in which the candidate is to be voted on. (Elections Code §8400).

Applying Signatures-In-Lieu Toward Nomination Signature Requirement

Candidates may apply their in-lieu signatures toward the number of signatures required on their Nomination Paper accordance with Section 8061. Candidates are required to file a written request with the elections official to apply any valid signatures-in-lieu toward the nomination signature requirement.

However, signatures-in-lieu may only count toward the nomination signature requirement if the signer is registered with the same political party as the candidate. (Elections Code §8106(d))

Circulating Within 100 Feet of a Polling Place

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

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. (Elections Code §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 residence;
- ❖ uses a mail drop number for residence address;
- ❖ provides an address that is different from the voter's residence 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 Jones;
- ❖ uses ditto marks for an address;
- ❖ authorizes Power of Attorney to sign on his or her behalf.

NAME & 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.

Elections Code Section 13107 and 13107.5 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 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 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:
 - a) 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,
 - b) 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 reelection 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.

5) **Community Volunteer:** A candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section 13107, if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:

- 1) A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.
- 2) A candidate is not engaged concurrently in another principal profession, vocation, or occupation.
- 3) A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation, or occupation designation.

The Secretary of State shall by regulation define what constitutes a community volunteer for purposes of this section.

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. (Elections Code §13106)

Unacceptable Designations

Pursuant to Elections Code §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 Elections

The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 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 Designation

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 Elections Code §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.

SECRETARY OF STATE

Ballot Designation Regulations

The following are regulations proposed by the Secretary of State and approved by the Office of Administrative Law that went into effect in January 1998. The regulations apply only to state and federal candidates. In order to be consistent with the state regulations, however, the Santa Cruz County Elections Department will apply these same regulations to candidates running for county, special district and school district offices.

Chapter 7. Ballot Designations

§20710. General Provisions.

(a) The regulatory purpose of this Chapter is to ensure the accurate designation of the candidate upon the ballot in order that an informed electorate may intelligently elect one of the candidates.

(b) The Secretary of State shall, at all times, apply and interpret the provisions of Elections Code §13107 and the regulations included in this Chapter in a manner consistent with the regulatory purpose of this Chapter.

(c) Candidates are not required to use a ballot designation pursuant to Elections Code §13107, subdivision (a), and may opt to leave the space for such a designation on the ballot blank. In order to notify the elections official as to whether he or she will use a ballot designation or will opt to leave the ballot designation space blank, the candidate must initial the appropriate box on the Declaration of Candidacy or otherwise so indicate on the Declaration of Candidacy.

(d) Pursuant to Elections Code §13107, subdivision (a), a candidate may submit a proposed ballot designation pursuant to any one of the four provisions specified in Elections Code §13107, subdivision (a), subparts (1) through (4), applicable to that candidate. The candidate shall be free to select from which of the applicable four subparts he or she is submitting his or her proposed ballot designation.

(e) The regulations set forth in this Chapter shall apply only to elections held for offices for which elections returns are certified by the Secretary of State of the State of California.

(f) Whenever, the word "should" is used in this Chapter, it is recommended, not mandatory.

Note: Authority: Section 12172.5, Government Code

Reference: Section 13107, Elections Code

§20711. Ballot Designation Worksheet.

(a) In order to facilitate review of a candidate's proposed ballot designation by the Secretary of State pursuant to Elections Code §13107, the candidate may 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.

(b) 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 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.

(c) 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, e-mail 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) At the option of the candidate, 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, including the following:

(A) If the candidate holds elected office and is submitting his or her proposed ballot designation pursuant to Elections Code §13107, subdivisions (a)(1) or (a)(2), the candidate should indicate the elective office he or she currently occupies and may attach a copy of his or her Certificate of Election;

(B) If the candidate is a judicial officer and is submitting his or her proposed ballot designation pursuant to Elections Code §13107, subdivisions (a)(1) or (a)(2), the candidate should indicate the elective office he or she currently holds and may attach either (A) a copy of his or her Certificate of Election or (B) a copy of his or her commission or certificate of appointment, issued at the time the candidate was appointed to the judicial office which he or she currently occupies;

(C) If the candidate submits a ballot designation pursuant to Elections Code §13107, subdivision (a)(3), the candidate should indicate:

- (i) The title of the position or positions which he or she claims supports the proposed ballot designation;
- (ii) The dates during which the candidate held such position;
- (iii) A description of the work he or she performs in the position;
- (iv) The name of the candidate's business or employer;
- (v) The name and telephone number of a person or persons who could verify such information; and
- (vi) A statement that the professions, vocations or occupations relied upon to support the proposed ballot designation constitute the primary, main or leading professions, vocations or occupations of the candidate, in accordance with the definition of the term "principal" as set forth at §20714, subdivision (b).

(D) If the candidate submits a ballot designation pursuant to Elections Code §13107, subdivision (a)(4), the candidate should indicate the date on which he or she was appointed to the office for which he or she is an appointed incumbent.

(d) The candidate may attach or append any supporting documents or other exhibits to his or her Ballot Designation Worksheet which he or she believes support his or her proposed ballot designation. Such attached documents or other exhibits shall be deemed to be incorporated by reference as part of the candidate's Ballot Designation Worksheet and shall be considered as such by the Secretary of State.

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

§20712. Proposed Ballot Designations Submitted Pursuant to Elections Code 13107, Subdivision (a)(1).

Proposed ballot designations submitted pursuant to Elections Code §13107, subdivision (a)(1), shall be subject to the following provisions:

- (a) In the case of candidates holding elective city, county, district, state, or federal office, the candidate's ballot designation shall be the elective office that the candidate holds at the time of filing the nomination documents.
- (b) In the case of judicial officers, the candidate's ballot designation shall be the elective office that the candidate holds at the time of filing the nomination documents.
- (c) There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code §13107, subdivision (a)(1).
- (d) Proposed ballot designations indicating a position of legislative leadership, such as "Majority Leader of the California Senate," "Minority Leader of the California State Assembly," "Speaker of the California State Assembly," "President Pro Tempore of the California State Senate," and the like, are not elective offices described in Elections Code §13107, subdivision (a)(1). Such ballot designations are improper, pursuant to Elections Code §13107, subdivision (a)(1). They may, however, be considered under the provisions of §13107(a)(3).
- (e) Proposed ballot designations indicating that the candidate is a member of the state or county central committee of a political party, or an officer of a state or county central committee of a political party, are improper, as such positions do not constitute elective county or state offices as specified in Elections Code §13107, subdivision (a)(1).

Note: Authority: Section 12172.5, Government Code; Reference: §13107, Elections Code

§20713. Proposed Ballot Designations Submitted Pursuant to Elections Code §13107, Subdivision (a)(2).

Proposed ballot designations submitted pursuant to Elections Code §13107, subdivision (a)(2), shall be subject to the following provisions:

(a) A proposed ballot designation submitted pursuant to Elections Code §13107, subdivision (a)(2), is limited "incumbent," as that term is defined in Elections Code §13107, subdivision (a)(2).

(b) The term "incumbent" must be used as a noun. It shall not be used in conjunction with any other words, including any accompanying adjectives or modifiers, and must stand alone. A candidate qualified to use this designation pursuant to Elections Code §13107, subdivision (a)(2), shall be entitled to use the ballot designation "Incumbent."

(c) The word "incumbent" is strictly limited for use in ballot designations submitted pursuant to Elections Code §13107, subdivision (a)(2), and may not be used as an adjective in any other ballot designation.

Note: Authority: Section 12172.5, Government Code

Reference: Section 13107, Elections Code

§20714. Proposed Ballot Designations Submitted Pursuant to Elections Code §13107, Subdivision (a)(3).

Proposed ballot designations submitted pursuant to Elections Code §13107, subdivision (a)(3), shall be subject to the following provisions:

(a) The terms "profession," "vocation," or "occupation," as those terms are used in Elections Code §13107, subdivision (a)(3), are defined as follows:

(1) "Profession" means a field of employment requiring special education or skill and requiring specific knowledge of a particular discipline of learning or science. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual. Recognized professions generally include, but are not limited to, law, medicine, education, engineering, accountancy, and journalism. Examples of an acceptable designation of a "profession," as defined in Elections Code §13107, subdivision (a)(3), include, but are not limited to, "attorney," "physician," "accountant," "architect," and "teacher."

(2) "Vocation" means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his or her livelihood and spends a major portion of his or her time. As defined, vocations may include, but are not limited to, religious ministry, child rearing, homemaking, elderly and dependent care, and engaging in trades such as carpentry, cabinetmaking, plumbing, and the like. Examples of an acceptable designation of a "vocation," as defined in Elections Code §13107, subdivision (a)(3), include, but are not limited to, "minister," "priest," "mother," "father," "homemaker," "dependent care provider," "carpenter," "plumber," "electrician," and "cabinetmaker."

(3) "Occupation" means the employment in which one regularly engages or follows as the means of making a livelihood. Examples of an acceptable designation of an "occupation," as defined in Elections Code §13107, subdivision (a)(3), include, but are not limited to, "rancher," "restaurateur," "retail salesperson," "manual laborer," "construction worker," "computer manufacturing executive," "military pilot," "secretary," and "police officer."

(b) "Principal," as that term is used in Elections Code §13107, subdivision (a)(3), means a substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. The term "principal" precludes any activity which does not entail a significant involvement on the part of the candidate. Involvement which is only nominal, pro forma, or titular in character does not meet the requirements of the statute.

(1) If a candidate is licensed by the State of California to engage in a profession, vocation or occupation, the candidate is entitled to consider it one of his or her "principal" professions, vocations or occupations if (i) the candidate has maintained his or her license current as of the date he or she filed his or her nomination documents by complying with all applicable requirements of the respective licensure, including the payment of all applicable license fees and (ii) the status of the candidate's license is active at the time he or she filed his or her nomination documents.

(2) A candidate who holds a professional, vocational or occupational license issued by the State of California may not claim such profession, vocation or occupation as one of his or her "principal" professions, vocations or occupations if (i) the candidate's licensure status is "inactive" at the time the candidate files his or her nomination document, or (ii) the candidate's license has been suspended or revoked by the agency issuing the license at the time the candidate files his or her nomination documents.

(c) In order for a ballot designation submitted pursuant to Elections Code §13107, subdivision (a)(3), to be deemed acceptable by the Secretary of State, it must accurately state the candidate's principal professions, vocations or occupations, as those terms are defined in subdivisions (a) and (b) herein. Each proposed principal profession, vocation or occupation submitted by the candidate must be factually accurate, descriptive of the candidate's principal profession, vocation or occupation, must be neither confusing nor misleading, and must be in full and complete compliance with Elections Code §13107 and the regulations included in this Chapter.

(d) If the candidate is engaged in a profession, vocation or occupation at the time he or she files his or her nomination documents, the candidate's proposed ballot designation is entitled to consist of the candidate's current principal professions, vocations and occupations. In the event the candidate does not have a current principal profession, vocation or occupation at the time he or she files his or her nomination documents, the candidate may use a ballot designation consisting of his or her principal professions, vocations or occupations, which the candidate was principally engaged in during the calendar year immediately preceding the filing of the candidate's nomination papers.

(e) A candidate may engage in multiple principal professions, vocations or occupations. Accordingly, the candidate may designate multiple principal professions, vocations or occupations. If a candidate proposes a ballot designation including multiple principal professions, vocations or occupations, the proposed ballot designation must comply with the following provisions:

(1) The proposed ballot designation must comply with the three-word limitation specified in Elections Code §13107, subdivision (a)(3), and as implemented pursuant to subdivision (f) herein.

(2) Each such proposed profession, vocation or occupation shall be separately considered by the Secretary of State and must independently qualify as a "principal" profession, vocation or occupation, as that term is defined pursuant to subdivision (b) herein.

(3) When multiple professions, vocations or occupations are proposed as a ballot designation, they shall be separated by a slash (“/”). An example of an acceptable designation would be “Legislator/Rancher/Physician.”

(f) Pursuant to Elections Code §13107, subdivision (a)(3), the candidate's ballot designation shall be limited to not more than three (3) words. The following rules shall govern the application of the three word limitation:

(1) The proposed ballot designation shall be grammatically correct, generic, and all words must be spelled correctly.

(2) Punctuation shall be limited to the use of a comma (e.g., District Attorney, Los Angeles County) and a slash (e.g., Legislator/Rancher/Physician), pursuant to subdivision (e) of this section. A hyphen may be used if, and only if, the use of a hyphen is called for in the spelling of a word as it appears in a standard reference dictionary of the English language.

(3) All California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. The names of special districts and political subdivisions are not “geographical names,” as the term is used in Elections Code §13107, subdivision (a)(3). If the candidate desires, the geographical name may be used in the form of “City of . . .,” “County of . . .,” or “City and County of . . .” Examples of geographical names considered to be one word include Tehama County, Los Angeles County and County of Sacramento.

(4) An acronym shall be counted as one word.

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

§20715. Proposed Ballot Designations Submitted Pursuant to Elections Code, 13107, Subdivision (a)(4).

(a) Pursuant to Elections Code §13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of the phrase "appointed incumbent" if the candidate holds an office, other than a judicial office, by virtue of appointment, and the candidate is a candidate for election to the same office. The candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed."

(b) Pursuant to Elections Code §13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of the word “appointed” in conjunction with the elective office, if the candidate is a candidate for election to the same office or to some other office. The candidate may not use any words designating the office unmodified by the word “appointed.”

(c) There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code §13107, subdivision (a)(4).

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

§20716. Unacceptable Ballot Designations.

(a) The Secretary of State shall reject as unacceptable any proposed ballot designation which fails to comply with, or is otherwise inappropriate pursuant to, Elections Code §13107, subdivision (a); is prohibited pursuant to Elections Code §13107, subdivision (b); is misleading; or is otherwise improper pursuant to the regulations set forth in this Chapter.

(b) The following types of activities are distinguished from professions, vocations and occupations and are not acceptable as ballot designations pursuant to Elections Code §13107, subdivision (a)(3):

(1) Avocations: An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and in addition to the candidate's principal profession, vocation or occupation. Avocations may include, but are not limited to, hobbies, social activities, volunteer work, and matters pursued as an amateur.

(2) Pro Forma Professions, Vocations and Occupations: Pro forma professions, vocations or occupations are positions held by the candidate which consume little or none of the candidate's time and which, by their nature, are voluntary or for which the candidate is not compensated. Pro forma professions, vocations and occupations may include, but are not limited to, such pursuits as honorary peace officer, volunteer firefighter, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess and the like.

(3) Statuses: A status is a state, condition, social position or legal relation of the candidate to another person, persons or the community as a whole. A status is generic in nature and generally fails to identify with any particular specificity the manner by which the candidate earns his or her livelihood or spends the substantial majority of his or her time. Examples of a status include, but are not limited to, philanthropist, activist, patriot, taxpayer, concerned citizen, husband, wife, and the like.

(c) Pursuant to Elections Code §13107, subdivision (b)(1), the Secretary of State shall reject as unacceptable any proposed ballot designation that would mislead voters. In making this determination, the Secretary of State shall determine whether there is a substantial likelihood that a reasonably prudent voter would be misled as to the candidate's principal profession, vocation or occupation by the candidate's proposed ballot designation. The determination shall take into account the plain meaning of the words constituting the proposed ballot designation and the factual accuracy of the proposed ballot designation based upon supporting documents or other evidence submitted by the candidate in support of the proposed ballot designation, pursuant to §20711 and 20717 of this Chapter.

(d) A ballot designation may not comprise or include commercial identification information, such as a trademark, service mark, trade name, or the specific name of a business, partnership, corporation, company, foundation, or organization. Examples of an improper use of commercial identification information include, but are not limited to, "Acme Company President," "Universal Widget, Inventor," "Director, Smith Foundation," "UCLA Professor," and the like.

(e) Pursuant to Elections Code §13107, subdivision (b)(2), the Secretary of State shall reject as unacceptable any proposed ballot designation that would suggest an evaluation of the candidate's qualifications, honesty, integrity, leadership abilities or character. Any laudatory or derogatory adjectives which would suggest an evaluation of the candidate's qualifications shall not be permitted. Such impermissible adjectives include, but are not limited to, "outstanding," "leading," "expert," "virtuous," "eminent," "best," "exalted," "prominent," "famous," "respected," "honored," "honest," "dishonest," "corrupt," "lazy," and the like.

(f) Pursuant to Elections Code §13107, subdivision (b)(3), the Secretary of State shall reject as unacceptable any proposed ballot designation that abbreviates the word "retired" or places it following any word or words that it modifies. Examples of impermissible designations include "Ret. Army General," "Major USAF, Retired" and "City Attorney, Retired."

(g) Pursuant to Elections Code §13107, subdivision (b)(4), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed or judicial office previously held by the candidate. Such impermissible words or prefixes include, but are not limited to, “Ex-,” “former,” “past,” and “erstwhile.” Examples of impermissible designations include “Former Congressman,” “Ex-Senator,” and “Former Educator.”

(h) Subject to the provisions of Elections Code §13107, subdivision (b)(4), use of the word “retired” in a ballot designation is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation. In evaluating a proposed ballot designation including the word “retired,” the Secretary of State will consider the following factors in making a determination as to the propriety of the use of the term “retired”:

- (1) Prior to retiring from his or her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than 5 years;
- (2) The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension;
- (3) The candidate has reached at least the age of 55 years;
- (4) The candidate voluntarily left his or her last professional, vocational or occupational position;
- (5) If the candidate is requesting a ballot designation indicating that he or she is a retired public official, the candidate must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office;
- (6) The candidate has not had another more recent, intervening principal profession, vocation or occupation; and,
- (7) The candidate's retirement benefits are providing him or her with a principal source of income.

(i) Pursuant to Elections Code §13107, subdivision (b)(5), the Secretary of State shall reject as unacceptable any proposed ballot designation that uses the name of any political party, whether or not it has qualified for recognized ballot status.

(j) Pursuant to Elections Code §13107, subdivision (b)(6), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or words referring to a racial, religious, or ethnic group.

(1) The Secretary of State shall reject as unacceptable any ballot designation that expressly contains or implies any ethnic or racial slurs or ethnically or racially derogatory language.

(2) If the candidate is a member of the clergy, the candidate may not make reference to his or her specific denomination. However, the candidate may use his or her clerical title as a ballot designation (e.g., “Rabbi,” “Pastor,” “Minister,” “Priest,” “Bishop,” “Deacon,” “Monk,” “Nun,” “Imam,” etc.) (k) Pursuant to Elections Code §13107, subdivision (b)(6), the Secretary of State shall reject as unacceptable any proposed ballot designation that refers to any activity prohibited by law. Unlawful activity includes any activities, conduct, professions, vocations, or occupations prohibited by state or federal law.

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

§20717. Requests for Supporting Documentation.

In addition to the Ballot Designation Worksheet requested to be filed with the Secretary of State pursuant to §20711 of this Chapter, the Secretary of State may request that a candidate submit additional supporting documentation or other evidence to support the proposed ballot designation.

(a) Time is of the essence regarding all matters pertaining to the review of proposed ballot designations submitted by candidates for public office. Failure to promptly submit requested supporting materials will preclude consideration of such materials and the rendering of a summary, final decision on the candidate's proposed ballot designation.

(b) The Secretary of State will communicate, whenever possible, with the candidate in the most expeditious manner, including, but not limited to, telephone, facsimile transmission and electronic mail at the number or address provided by the candidate. When the candidate does not have reasonable access to a facsimile machine or electronic mail, the Secretary of State will transmit written communication to the candidate by means of overnight express delivery to the address provided by the candidate.

(c) The candidate shall have the burden of establishing that the proposed ballot designation that he or she has submitted is accurate and complies with all provisions of Elections Code §13107 and this Chapter.

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

§20718. Communication of Decisions Regarding Ballot Designations.

(a) An official copy of the decision of the Secretary of State regarding a candidate's ballot designation will be made in writing and transmitted directly to the candidate by registered or certified mail, return receipt requested, to the address provided by the candidate. The Secretary of State shall also provide a copy to the elections official in the candidate's county of residence and to the elections official of each county within the political subdivision. Copies may also be made available to all other candidates in the race.

(b) At the request of the candidate, the Secretary of State will transmit an unofficial copy of the decision of the Secretary of State regarding the candidate's proposed ballot designation by facsimile transmission sent to the facsimile number listed on the candidate's Ballot Designation Worksheet. When the candidate does not have reasonable access to a facsimile machine, the Secretary of State will transmit to the candidate, at the candidate's request, an unofficial copy of the decision by means of overnight express delivery to the address listed on the candidate's Ballot Designation Worksheet provided. If the candidate has not submitted a Ballot Designation Worksheet, the Secretary of State will transmit an official copy to the facsimile number provided by the candidate or, if the candidate does not have reasonable access to a facsimile machine, by overnight express mail to the address provided by the candidate.

(c) All written decisions of the Secretary of State regarding ballot designations are public records and are available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, 1500 11th Street, Fifth Floor, Sacramento, California 95814.

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

§20719. Service of Legal Process Regarding Ballot Designations.

(a) In the event a candidate or other interested party files a petition for the issuance of an extraordinary writ with the court or other legal action pertaining to a candidate's ballot designation, the summons and any other legal process should be served upon the Chief Counsel to the Secretary of State, Legal Affairs Unit, Executive Office of the Secretary, 1500 11th Street, Sixth Floor, Sacramento, California 95814. The Chief Counsel may designate a Deputy Secretary of State in the Legal Affairs Unit to accept service of process on behalf of the Secretary of State.

(b) Telephone notice pertaining to any ex parte applications filed with the court by any candidate or other interested party should be directed to the attention of the Chief Counsel to the Secretary of State at (916) 653-7244. Counsel for all parties to such ex parte matters are admonished that waivers of the Secretary of State's right to timely notice and the right to personally appear at the ex parte hearing will be granted in writing and only in limited instances.

(c) The Secretary of State shall provide a copy of any legal actions in subdivision (a) or (b) above to the elections official in the county of the candidate's residence and any other county in the district.

Note: Authority: Section 12172.5, Government Code
Reference: Section 13107, Elections Code

WRITE-IN CANDIDACY

Filing Period: **March Primary Election: Jan. 5 - Feb. 17**
 November General Election: Sept. 6 – Oct. 19

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 Elections Department no later than 14 days prior to Election Day. The Elections Department will forward the forms to the Secretary of State in the case of offices which 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 Elections Department the following documents:

- ❖ A **“Statement of Write-in Candidacy”** which 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.
- ❖ A **“Nomination Paper”** with 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.** (Elections Code §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; Elections Code §305)

The Elections Department 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 and County Councils. There is provision in the law, however, to require that the offices be placed on the ballot by means of a petition procedure. (Elections Code §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. (Elections Code §5005, 8605, 15460, 15470, 15480, 15490)

INDEPENDENT CANDIDATES

The March primary includes partisan contests where voters will nominate a candidate from 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 Elections Code, 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, 2003 (13 months preceding the Election), as being affiliated with a qualified political party.

The number of signatures of qualified registered voters which 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 or three percent of the number of registered voters in the election jurisdiction as of October 21, 2002. (Elections Code §8350).

Filing periods for independent candidates running for State Senate or Assembly are:

Sept. 26 – Nov. 5, 2003 (E- 403 to E-363)	Signatures-in-lieu (see following page)
Oct. 27 – Nov. 5, 2003 (373 to E-363)	Declaration of Intention
Nov. 15, 2003 (E-348)	Elections official to notify the candidate of the number of signatures-in-lieu submitted that were invalid.
June 7 to August 6, 2004 (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)

Filing periods for independent candidates running for U.S. Senate and Congress are:

April 23 to July 22, 2004 (E-193 to E-103)	Signatures-in-lieu (see following page)
August 2, 2004* (E-91)	Elections official to notify the candidate of the number of signatures-in-lieu submitted that were invalid.
June 7 to August 6, 2004 (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)

Number of Nomination Signatures Required to Place Independent Candidate on the November 2, 2004 General Election Ballot

Office	Oct. 2002 Voter Registration	Required Signatures (% of previous general election registration total)
U.S. Senate	15,303,469	153,035 (1%)
14 th Congressional	322,354	9,671 (3%)
17 th Congressional	274,901	8,248 (3%)
11 th State Senate	437,412	13,123 (3%)
15 th State Senate	430,993	12,930 (3%)
27 th Assembly	225,701	6,772 (3%)
28 th Assembly	149,615	4,489 (3%)

Filing Fee or Number of Signatures-In-Lieu of Paying the Filing Fee Required to Place Independent Candidate on the November 2, 2004 General Election Ballot

Office	Salary	Filing Fee ^a	Sig-In-Lieu	Value/Sig
U.S. Senator	\$154,700	\$3,094.00 (2%)	10,000	\$0.3094
U.S. Congress	\$154,700	\$1,547.00 (1%)	3,000	\$0.5156666
State Senate	\$99,000	\$990.00 (1%)	3,000	\$0.330000
State Assembly	\$99,000	\$990.00 (1%)	1,500	\$0.660000

^a Based on either 2 or 1 percent of salary as indicated.

CANDIDATE STATEMENT OF QUALIFICATIONS

CANDIDATE STATEMENTS FOR JUDICIAL OFFICES

In addition to the restrictions set forth in Section 13307, any candidate's statement submitted pursuant to Section 13307 by a candidate for judicial office 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 candidates for judicial office or to another 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. (Elections Code §13308)

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.
- ❖ All candidates eligible to file a statement must file a *"Candidate's Statement Agreement"* indicating if a statement will be filed or not.
- ❖ 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 Santa Cruz County Elections Department 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. (Elections Code §9094, 13303)

CANDIDATE'S STATEMENTS WHERE AND WHEN TO FILE

PERIOD FOR FILING:	<p>November 10 – December 5 by 5 p.m. The statement must be paid for and filed with the Declaration of Candidacy.</p> <p style="text-align: right;">§13307(a)(2)</p>
EXTENDED PERIOD:	<p>If the Nomination filing period is extended, then all persons, other than the incumbent, have until December 10 by 5 p.m. in which to file their Candidate's Statement along with their Declaration of Candidacy.</p>
WHERE:	<p>Elections Department, 701 Ocean Street, Room 210, Santa Cruz, CA 95060-4076, 831-454-2060. Regular office hours – 8 a.m. to 5 p.m., Monday through Friday. Candidate's Statements cannot be filed by FAX pursuant to Secretary of State Guidelines.</p>
CONTENTS:	<p>The statement contains the candidate's:</p> <ul style="list-style-type: none"> ❖ name ❖ age (optional) ❖ occupation (optional), and ❖ a brief description of no more than 200 words (unless 400 has been authorized by the governing board) of the candidate's education and qualifications expressed by the candidate. <p style="text-align: right;">§13307(a)(1)</p>
RESTRICTIONS:	<p>The candidate's statement shall not include the party affiliation of the candidate nor membership or activity in partisan political organizations.</p> <p style="text-align: right;">§13307(a) (1)</p>
CONFIDENTIALITY:	<p>Statements remain confidential until 5 p.m. on the last day to file.</p> <p style="text-align: right;">§13311</p>
WITHDRAWAL:	<p>Statements may not be changed but may be withdrawn no later than 5 p.m. on Dec. 8. If there is an extended filing time, no later than 5 p.m. on Dec. 11.</p> <p style="text-align: right;">§13307(a)(3)</p>
PAYMENT:	<p>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 County Clerk.</p> <p style="text-align: right;">§13307(c)</p>

CANDIDATE'S STATEMENT

Content, Size & Format

C ONTENT

- ❖ Be accurate. **Documents will be printed as submitted.** SPELLING, PUNCTUATION, AND GRAMMATICAL ERRORS WILL NOT BE CORRECTED BY THE ELECTIONS DEPARTMENT.
- ❖ Please **TYPE** your candidate statement. **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 Elections Department; type it on their own paper, double-spaced only; or submit the statement on a disk along with a hard copy. Statements submitted in a readable electronic format will receive a \$25 discount. 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.
- ❖ Candidates for nonpartisan offices shall not include the party affiliation of the candidate nor membership or activity in partisan political organizations. (§13307(a)(1))
- ❖ Statements for judicial offices may not make reference to other candidates for judicial office or to another candidate's qualifications, character, or activities. (§13308)
- ❖ No statement shall contain any demonstrably false, slanderous or libelous statements (§13307(d)).
- ❖ The heading includes the candidate's name and office sought. The Candidate's Statement will begin with the words: **"Education and Qualifications:"** followed by the text filed by the candidate. These words, as well as the heading, are standardized and included in the quarter page 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.

S IZE

- ❖ Candidates for Superior Court Judge, County Offices and County Supervisor are limited to **200 words**.
- ❖ Candidates for State Senate and State Assembly are limited to **250 words**.
- ❖ See guidelines on "How to Count Words" on page 85.
- ❖ The candidate's statement must fit inside a quarter page square of the Voter's Information Pamphlet measuring 3.75" wide by 4.5" tall. If the statement exceeds this space, the candidate will be charged double for using an additional square. Please see example on page XX.

F ORMAT

- ❖ All text will be formatted flush left – no indents will be allowed, except for bullets.
- ❖ Statements are printed in the Voter's Information Pamphlet in type of uniform size, darkness and spacing. Santa Cruz County uses 9.5 point Arial or Arial Narrow type - no exceptions.
- ❖ **Bolding**, CAPITALIZING, underlining, and centering text are not permitted. If the statement contains any bolding, capitalizing (other than abbreviations or acronyms), underlining, and centering of text, the text will be converted to normal text without these attributes.
- ❖ Limited use of *italics* is permitted.
- ❖ Bullets, using a solid circle **ONLY**, are permitted and will be indented like the bullets on this page. If the bulleted text extends the statement beyond the space allowed, candidates will be charged double, or bullets will be removed and the text will run together, separated by a semi-colon.

THE PRINTED CANDIDATE'S STATEMENT

Below is a sample of a Candidate's Statement of Qualifications, as it will appear in the Voter's Information Pamphlet.

<p>Statement of CHRIS CANDIDATE, Candidate for County Supervisor, 6th District County of Santa Cruz</p> <p>Occupation: Teacher Age: 42</p> <p>Education and Qualifications: I can bring to the office a diversity of viewpoints and experience. Born and raised in the Monterey Bay Area, with my family still farming, I can appreciate the concerns of the environmentalist. On the other hand, having been in business since my undergraduate days at UCSC, and with my experience in the rental and real estate fields, I appreciate the practical housing requirements of our community.</p> <p>My credentials include:</p> <ul style="list-style-type: none">• Graduate of local high schools, UCSC graduate with a B.S. and MBA;• US Air Force sergeant;• Married and parent of 2;• Small Business owner;• Homeowner. <p>In addition, I have either served or am serving in the following clubs and organizations: Rotary; Chamber of Commerce; Sierra Club; PTA; Arts Council; Rock the Vote; and League of Women Voters.</p> <p>If elected to this office, I will do my best to continue to serve as a leader and role model for our community and children.</p>	<p>The Spanish translation would appear here for candidates who request and purchase a Spanish translation of their Candidate's Statement.</p> <p>Or, this space would be used for other candidates running for the same office.</p> <p>Candidate statements will appear in the same order as the candidates' names appear on the ballot.</p>
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NOTE: If, due to excessive bulleting or any other reason, your candidate's statement exceeds the 3.75" wide by 4.5" tall quarter page provided for each statement, you will be charged double for the additional space.

Or, the elections official may delete the bullets, and instead run the text together, separating the bulleted sections by semi-colons. Both bullets and a listing using semi-colons have been used in the sample above to illustrate this formatting.

COST OF PRINTING CANDIDATE'S STATEMENTS

SUBMIT CANDIDATE'S STATEMENT IN AN ELECTRONIC FORMAT AND RECEIVE A \$25 DISCOUNT!!

The Elections Department encourages candidates to submit their statements on a 3 ½ " computer diskette or send via e-mail to gail.pellerin@co.santa-cruz.ca.us

- ONE signed hard copy must be filed by the deadline.
- Format all text flush left and execute and save italics and bullets within the file.
- Discounts will only be provided to those candidates whose files can be read by the Elections Department's computers. If elections staff have to type the statement, the discount will not apply.

PAYMENT

The statement may be paid for by check made payable to the County Clerk or cash if the candidate is using personal funds and will not be reimbursed through the committee. The fee shall be paid at the time candidates file their Declarations of Candidacy if the candidate wants to have a statement printed in the Voter's Information Pamphlet.

If the Candidate's Statement is withdrawn by 5 p.m. on December 8 (or by December 11), if there is an extension) the fee will be refunded in full.

PRINTING IN SPANISH

Santa Cruz County is **not** required to print statements in Spanish; therefore, any candidate wishing their statement be printed in Spanish in Santa Cruz County's Voter Information Pamphlet will be required to pay double the amount listed. A facsimile copy of the ballot with the ballot measures and ballot instructions printed in Spanish will be available at each polling place on Election Day and upon request by voters at no additional expense to the candidate. (§14201)

OVERLAPPING DISTRICTS

Important notice to candidates in districts that encompass more than one county. Procedures, requirements, fees, formats and public examination periods for candidates' statements 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.

County Offices – When a county, school or special district overlaps into another county, the candidate's statement shall be printed in each and every county in which the district lies. The candidate must write a separate check made payable to the appropriate county in the amount provided to cover the cost of printing, handling and mailing the statement within the respective counties. The check and candidate's statement will be forwarded by the Santa Cruz County Elections Department staff to our neighboring county for printing in its Voter's Information Pamphlet.

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, not later than 5:00 p.m. on the 88th day prior to the election, or in the event that the nomination period has been extended, until 5:00 p.m. on the 83rd 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.

COST FORMULA

The cost of the Candidate's Statement is based on a quarter page measuring 3.75" wide by 4.5" tall in the Voter's Information Pamphlet. It includes a flat fee of \$140 for typesetting and page setup, plus \$.008 per voter in the district for printing and \$.008 per voter in the district for postage. Registration figures are based on the May, 2003 registration. If candidates are authorized to submit statements containing more than 200 words, it may take more space than a quarter page, especially if the statement features bullets and short paragraphs.

Therefore, if a statement cannot fit in a quarter page, candidates will be charged double for the increased space. **Candidates who submit their statement in a readable electronic format will receive a \$25 discount.**

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.

CANDIDATE STATEMENT COSTS STATE SENATE OFFICES

11th SENATE DISTRICT	# OF VOTERS REGISTERED WITH PARTY (as of 5/03)	# OF VOTERS NOT AFFILIATED WITH A PARTY	COST OF STATEMENT ALL VOTERS (1/4 PAGE)	COST OF STATEMENT PARTY VOTERS ONLY (1/4 PAGE)
Democratic	42,266	14,620	\$1050	\$818
Republican	15,005	14,620	\$614	\$380
American Independent	1,307	14,620	\$395	\$161
Green	5,422	14,620	\$461	\$227
Libertarian	934	14,620	\$399	\$155
Natural Law	135	14,620	\$376	\$142
Peace & Freedom	381	14,620	\$380	\$146
15TH SENATE DISTRICT				
Democratic	24,913	8,072	\$668	\$539
Republican	15,283	8,072	\$514	\$385
American Independent	829	8,072	\$282	\$153
Green	1,242	8,072	\$289	\$160
Libertarian	400	8,072	\$276	\$146
Natural Law	76	8,072	\$270	\$141
Peace & Freedom	189	8,072	\$272	\$143

CANDIDATE STATEMENT COSTS STATE ASSEMBLY OFFICES

27TH ASSEMBLY DISTRICT	# OF VOTERS REGISTERED WITH PARTY (as of 5/03)	# OF VOTERS NOT AFFILIATED WITH A PARTY	COST OF STATEMENT ALL VOTERS (1/4 PAGE)	COST OF STATEMENT PARTY VOTERS ONLY (1/4 PAGE)
Democratic	59,974	20,140	\$1,374	\$1,052
Republican	26,656	20,140	\$889	\$567
American Independent	1,878	20,140	\$492	\$170
Green	6,470	20,140	\$566	\$244
Libertarian	1,267	20,140	\$483	\$160
Natural Law	189	20,140	\$465	\$143
Peace & Freedom	463	20,140	\$470	\$147
28TH ASSEMBLY DISTRICT				
Democratic	10,205	2,552	\$344	\$303
Republican	3,632	2,552	\$239	\$198
American Independent	258	2,552	\$185	\$144
Green	194	2,552	\$184	\$143
Libertarian	67	2,552	\$182	\$141
Natural Law	22	2,552	\$181	\$140
Peace & Freedom	107	2,552	\$183	\$142

COUNTY OFFICES

DISTRICT	REGISTERED VOTERS (5/03)	COST OF STATEMENT (1/4 PAGE)
County Board of Supervisors, 1 st District	27,755	\$584
County Board of Supervisors, 2 nd District	28,675	\$599
County Board of Supervisors, 5 th District	29,734	\$616
Superior Court Judge	131,074	\$2,237
San Benito County Brd. of Ed. – TA 2	47	\$141

HOW TO COUNT WORDS

(Pursuant to Elections Code Section 9)

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

Each word is counted as one word except:

- PUNCTUATION:** Punctuation is not counted.
- TITLES:** Words used in the title of the document, such as "Argument in Favor of Measure A" are 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, "County of Santa Cruz" and "Pajaro Valley Unified School District" shall each be counted as one word.
- 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.
- 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, 2000 shall be counted as two words, whereas 1/1/00 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.
- PERCENT, ETC.:** It is department policy to count numbers consisting of a digit or digits used with a dollar sign (\$), cent sign (¢), percentage sign (%), or number sign (#) as one word.

REGISTRATION AND ELECTION DATA

Confidential Voter File

Pursuant to Elections Code Sections 2187(g), 2188 and 2194, voter registration information is available to persons or groups for election, scholarly, journalistic or political purposes, or governmental purposes, as determined by the Secretary of State. Each written request to view, purchase, or use voter registration information must be submitted in person and with identification on an application available at the Santa Cruz County Elections Department.

Permissible Usage

The California Code of Regulations, Division 7, Article 1, Section 19003, specifies permissible uses for any data obtained from voter registration files.

Permissible usage includes, but is not limited to:

- ❖ Using registration information for purposes of communicating with others in connection with any election;
- ❖ Sending communications, including but not limited to, mailings which campaign for or against any candidate or ballot measure in any election;
- ❖ Sending communications, including but not limited to, mailings by or in behalf of any political party; provided however, that the content of such communications shall be devoted to news and opinions of candidates, elections, political party developments and related matters;
- ❖ Sending communications, including but not limited to, mailings, incidental to the circulation or support of, or opposition to any recall, initiative, or referendum petition;
- ❖ Sending of newsletters or bulletins by any elected public official, political party or candidate for public office;
- ❖ Conducting any survey of voters in connection with any election campaign;
- ❖ Conducting any survey of opinions of voters by any government agency, political party, elected official or political candidate for election or governmental purposes;
- ❖ Conducting an audit of voter registration lists for the purposes of detecting voter registration fraud;
- ❖ Soliciting contributions or services as part of any election campaign on behalf of any candidate for public office or any political party or in support of or opposition to any ballot measure;
- ❖ Any official use by any local, state, or federal governmental agency.

Prohibited Usage

Prohibited usage includes:

- ❖ Any communication or other use solely or partially for any commercial purpose;
- ❖ Solicitation of contributions or services for any purpose other than on behalf of a candidate or political party or in support or opposition of a ballot measure;
- ❖ Conducting any survey of opinions of voters other than those permitted by Section 19003.

California Elections Code §18109 states:

- "(a) It is a misdemeanor for any person in possession of information obtained pursuant to Article 5 (commencing with Section 2180) of Chapter 2 of Division 2, or Section 6254.4 of the Government Code, knowingly to use or permit the use of all or any part of that information for any purpose other than as permitted by law.
- (b) It is a misdemeanor for any person knowingly to acquire possession or use of voter registration information referred to in subdivision (a) without first complying with Section 2188."

Election Data For Sale

From Santa Cruz County



YOU WANT IT WHEN? Orders will be completed within 2 working days except for absentee voter information if previously requested to be received on a daily basis.

\$\$PAYMENT MUST BE MADE IN ADVANCE OF ANY PURCHASE. Candidates may set up an account with the Elections Department by writing a check “Not to Exceed” a certain dollar amount. Purchases will then be subtracted from that amount until the cap is reached. At that time the check will be cashed. If total purchases are less than the amount of the original check, candidates will be asked to write a check for the specific amount due and the original check will be returned.

Walking Lists

These lists are by consolidated voting precinct, in alphabetical order by street, and are available sometime after the 54th day prior to the election and after the 29th day prior to the election. (Elections Code §2184)

- Per thousand names..... 50¢

Printed Voter Indexes by Street or Alpha

Special order computer jobs (other than the 54 or 29-day indexes) can be requested at any time. Indexes can be sorted by street or alphabetical by voter’s name.

- First 15,000 names \$30
- Each additional 1,000 names..... \$2

Voter Lists on 3 ½” Floppy Disk

Voter lists, including names and addresses of voters and voter history, names of voters who have requested absentee ballots, are available on 3 ½” floppy disk.

- 1 disk..... \$50
- Each additional disk \$30
- Absentee voter lists on disk for five consecutive days \$200

Voter Lists on CD

The voter lists described above may be purchased on CD.

- Under 50,000 records \$60
- 50,000 to 100,000 records \$85
- 100,000 records or more..... \$125

Mailing Labels of Voters or Households

Please check with the Elections Department for pricing and availability.

List of Polling Places / List of Candidates on the Ballot

A list of the polling places in an election (ranges from 163 to 170 for countywide elections) and a list of candidates' names and addresses is available for purchase.

- Each list \$15

Maps

The county Planning Department produces computer-generated maps. Maps are available for purchase or viewing in the Elections Department during regular office hours.

Individual precinct maps: These maps are 8 1/2" x 11" with one general registration precinct per page. Maps cost \$.75 each and 390 maps comprise Santa Cruz County.

- Each map 75¢

Supervisory maps: 11" x 17" map of each supervisory district.

- Each map \$4

Countywide and district maps: Various other wall-size maps of districts and the county are also available. Maps measure approximately 33" x 43" .

- Each map \$16

Daily Absentee Voter Printout

A daily list of who has requested, issued and then returned a vote-by-mail ballot may be purchased.

- First page \$6
- Each additional page..... \$1

Photocopying

Copies of candidate's campaign reporting documents (Forms 410, 460, etc.) are available.

- Each page 10¢

An additional \$5 retrieval fee is charged if the item requested is more than five (5) years old. (Gov. Code §81008)

Photocopying of all other items:

- Each of the first five (5) pages 50¢
- Each additional page..... 10¢

Secretary of State's CALVOTER

The Secretary of State also has voter file information available for purchase. The file is distributed on a CD in a plain text-file format (tab-delimited.) The first record contains field headings to interpret the data.

It can be ordered for voters statewide or by specific counties or districts.

Please be advised that each county is actually responsible for maintaining its own voter registration data. The currency of the data in the statewide CALVOTER database varies from county to county as not all counties update us on a regular basis. Therefore, the counties are always your best source for the most current data.

For more information, please contact Bruce McDannold, Calvoter Administrator, at (916) 6572602 or by email at bmcdanno@ss.ca.gov or Cathy Ingram-Kelly at (916) 651-8975 or email ckelly@ss.ca.gov

Voter Registration, Fail Safe & Provisional Voting and Vote-by-Mail Drives

Voter Registration Drives:

Candidates and/or committees wishing to distribute voter registration cards may obtain cards in English/Spanish from the Elections Department during regular office hours.

For any quantity of 50 or more, the individual requesting the cards must fill out an application and obtain a "Guide to Registering Voters" from elections staff in the Elections Department. For quantities of 2,000 or more, the distribution form is transmitted to the Secretary of State's Office. (California Administrative Code §20001g)

Citizens or organizations which distribute voter registration cards shall give a voter registration card to any person requesting it.

Completed cards must be returned to the Elections Department within 3 business days or by the close of registration. Failure to do so is a misdemeanor.

*******Registering at 29 days vs. 15 days*******

A new law allows voters to register up until the 15th day before the election – February 17, 2004 (E-15 is actually February 16, but since it is a holiday, the deadline moves to the next business day). Voters who submit their voter registration cards by the 29th day before the election, **February 2, 2004**, (postmark **NOT ACCEPTABLE**) will be added to the rolls, and the voters will receive a Sample Ballot and Voter's Information Pamphlet prepared by the county elections official.

Voters who submit cards after this date will **NOT** receive a Sample Ballot booklet, only a notice advising the late registrant that he/she will not receive a Sample Ballot and Voter's Information Pamphlet. The notice will also inform the voter of where he or she is assigned to vote on Election Day. §2102, 2107, 13303

The problem with this new law is that voter registration cards mailed 15 days prior to an election may not be received in time to send the new voter a notice or could be received after Election Day. **IN ORDER TO ENSURE VOTER'S ELIGIBILITY STATUS ON ELECTION DAY, ELECTIONS OFFICIALS URGE VOTERS TO REGISTER TO VOTE BY E-29.**

"Fail Safe" Provisional Voting:

HISTORY: A process for voting provisionally was added to the California Elections Code by Chapter 629 in 1983. (Elections Code §14310). The process provided that any voter claiming to be properly registered was entitled to vote even though the voter's qualification or entitlement to vote could not be immediately established.

An additional code section (Elections Code §14311) was added by Chapter 919 in 1995 in response to provisions of the National Voter Registration Act of 1993 (NVRA/ "Motor Voter") Section 8 (e)(2)(A)(ii)(II) known as "Fail Safe."

This section allows a voter who is registered in Santa Cruz County at one address, but has moved to another address, and did not re-register to vote by 15 days prior to the election, to vote a provisional ballot.

Voters have two options on where to vote:

1. At their new polling place with proper proof of residence; or
2. At the Santa Cruz County Elections Department or Watsonville City Hall (if it is operating as a satellite voting office) upon completion of a new voter registration card. No proof of residence is required.

DOCUMENTS THAT CAN BE USED AS PROOF OF RESIDENCE:

Voters must either show ONE California Driver's License or state identification card with their name and residence address

OR, IF THEY DON'T HAVE THAT....

Voters must show TWO of the following documents. Both must contain the voter's name and the current address where the voter lives (Section 20107 of the California Code of Regulations).

1. Military identification
2. College or university fee card or student identification
3. Lease agreement
4. Mortgage statement
5. Property tax statement
6. Income tax return
7. Utility bill
8. Credit card bill
9. Bank statement
10. Preprinted check or bank deposit slip
11. Mail addressed to the voter at his or her current residence address
12. Sworn statement given in the presence of a poll worker at the polling place from a voter in the precinct stating he or she knows and can identify the person who is attempting to vote, and attesting to the name and residence address of the person attempting to vote.

If the current residence of the voter does not have a street address or the voter is unable to receive mail at his or her street address and the voter is unable to provide a Driver's License or identification listed in 1-12 above, then proof of current residence shall consist of two documents from the categories listed below both of which shall contain the name of the voter and description of the property at which the current residence of the voter is located:

1. Deed or lease containing the legal description of the current residence address
2. Property tax statement containing the assessor's parcel number, or
3. Sworn statement given in the presence of a poll worker at the polling place from a voter in the precinct stating he or she knows and can identify the person who is attempting to vote, and attesting to the name and residence address of the person attempting to vote.

Authority cited: Section 12172.5, Government Code; and Section 14311, Elections Code.

Reference: Section 14311, Elections Code.

“Other” Provisional Voting: Provisional ballots are issued to voters whose voting eligibility cannot be established quickly and easily. Please be advised that poll workers in Santa Cruz County are directed to “Never tell voters that they cannot vote.”

Provisional voters must vote their ballot in person at the Elections Department, satellite office, or polling place. Provisional ballots cannot be mailed. As time allows, election officials will hand deliver provisional ballots to homebound voters.

Examples of voters who will vote provisionally:

- ❖ Voter applied for a vote-by-mail ballot and now, for whatever reason, wants to vote in person and does not have his/her ballot to surrender.
- ❖ Voter cannot be found in the voter file, but claims to have properly registered to vote. Any proof the voter may have, such as registration receipt, will be attached to the provisional ballot.
- ❖ Any other reason where the voter’s eligibility cannot be determined instantly.

Provisional ballots are distinguished from regular ballots because they are placed in a pink envelope for election officials to research and resolve during the official canvass.

Provisional ballots are not counted unless:

1. The Elections Official establishes from the records in their office the voter's right to vote prior to the completion of the official canvass; or
2. By order of the Superior Court in the county of the voter's residence.

Vote-by-Mail Ballot Drives:

Any organization or citizen wishing to distribute vote-by-mail ballot applications may obtain camera-ready copy of a state-approved, uniform application and have the application printed in any quantity.

Camera-ready forms are available in English and Spanish. The Elections Department also provides a guide on how to duplicate the form. It is extremely important that candidates and/or committees adhere to the format and to include the committee’s name, address and telephone number at the bottom of the vote-by-mail application. (Elections Code §3006 and 3007)

The uniform applications contain a box for “unaffiliated” voters to request a ballot for a qualified political party that has adopted rules permitting them to vote their party’s ballot. See “California’s New Modified Closed Primary” in this manual for more information.

Any individual, organization, or group that distributes absentee voter applications shall return the forms to the appropriate elections official within 36 hours of receiving the completed form, or before the deadline for application, whichever is sooner. (Elections Code §3008)

February 2, 2004 is the first day absent voter ballots may be issued for the March 2, 2004 election. Any application received prior to that date will be kept on file and processed during the application period.

A written request/application sent by mail for an absent voter ballot must be received by the Elections Department by 5 p.m. on **February 24, 2004**. Ballots are available at the Elections Department from February 25 to March 2 upon filing a Late Absentee Ballot application.

Applications for absentee ballots received in the mail after February 24 will not be processed. A letter of explanation will be sent to the applicant advising the voter that the application was received after the deadline.

California's "Modified" Closed Primary

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 a new 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 is called the "modified" closed primary or the "ajar" primary.

THE MARCH 2004 PRIMARY

At the time of this printing, the March 2004 Primary will be conducted just like the March 2002 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, Natural Law, 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 October 20, 2003, which is 135 days prior to the election. (E-135 falls on a Sunday, so the deadline is moved to the next business day). §13102

Call the Elections Department at 831-454-2060, visit our website at www.votescount.com or call 1-866-DTS-VOTE for updated information.

At the time of this writing, 22,557 of the county's 130,849 voters were "unaffiliated" and eligible to request a ballot of one of the authorizing qualified political parties.

CAMPAIGN PRACTICES

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 such 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, 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 *. Any candidate or ballot measure that has not paid to appear in the slate mail is not designated by *.

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.
- c) A slate mailer that complies with this section shall be deemed to satisfy the requirements of §20003 and 20004 of the Elections Code. [Sections were repealed in Ch. 1189, 1994)
(See the Information Manual 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 the provisions of 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.

CODE OF FAIR CAMPAIGN PRACTICES

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

The County Clerk 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 County Clerk and shall be retained for public inspection until 30 days after the election. (Elections Code §20400 - 20444)

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.

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.

SIMULATED BALLOTS

Printing of Simulated Sample Ballots (Elections Code §18301)

In addition to any other penalty, any person who prints or otherwise duplicates, or causes to be printed or duplicated, a simulated ballot or simulated sample ballot which does not contain the statement required by Section 20009 or which uses an official seal or insignia in violation thereof, is guilty of a misdemeanor.

Simulated ballot requirements (Elections Code §20009)

- a) Every simulated ballot or simulated sample ballot shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the statement or words or in 10-point Roman type, whichever is larger, in a printed or drawn box and set apart from any other printed matter, the following statement:

NOTICE TO VOTERS

(Required by Law)

This is not an official ballot or an official sample ballot prepared by the county elections official or the Secretary of State. This is an unofficial, marked ballot prepared by (insert name and address of the person or organization responsible for preparation thereof).

Nothing in this section shall be construed to require any such notice in any editorial or other statement appearing in a regularly published newspaper or magazine other than a paid political advertisement.

- b) No simulated ballot or simulated sample ballot referred to in subdivision (a) shall bear any official seal or the insignia of any public entity, nor shall that seal or insignia appear upon the envelope in which it is mailed or otherwise delivered.

The superior court, in any case brought before it by any registered voter, may issue a temporary or permanent restraining order or injunction against the publication, printing, circulation, posting, or distribution of any matter in violation of this section, and all cases of this nature shall be in a preferred position for purposes of trial and appeal, so as to assure the speedy disposition thereof.

CORRUPTION OF THE VOTING PROCESS

Fraud in Connection with Vote Cast (Elections Code §18500)

Any person who commits fraud or attempts to commit fraud, and any person who aids or abets fraud or attempts to aid or abet fraud, in connection with any vote cast, to be cast, or attempted to be cast, is guilty of a felony, punishable by imprisonment for 16 months or two or three years.

Public Official who Knowingly Allows Fraud Shall Forever be Disqualified From Holding Office (Elections Code §18501)

Any public official who knowingly violates any of the provisions of this chapter, and thereby aids in any way the illegal casting or attempting to cast a vote, or who connives to nullify any of the provisions of this chapter in order that fraud may be perpetrated, shall forever be disqualified from holding office in this state and upon conviction shall be sentenced to a state prison for 16 months or two or three years.

Interference with Election Officers (Elections Code §18502)

Any person who in any manner interferes with the officers holding an election or conducting a canvass, or with the voters lawfully exercising their rights of voting at an election, as to prevent the election or canvass from being fairly held and lawfully conducted, is punishable by imprisonment in the state prison for 16 months or two or three years.

CORRUPTION OF VOTERS

Fine for Solicitation Requesting Voter Disclosure of His or Her Ballot (Elections Code §18403)

Any person other than an elections official or a member of the precinct board who receives a voted ballot from a voter or who examines or solicits the voter to show his or her voted ballot is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment. This section shall not apply to persons returning an absentee ballot pursuant to Sections 3017 and 3021 or persons assisting a voter pursuant to Section 14282.

Promise of Employment (Elections Code §18520)

A person shall not directly or through another person give, offer, or promise any office, place, or employment, or promise to procure or endeavor to procure any office, place, or employment to or for any voter, or to or for any other person, in order to induce that voter at any election to:

- a) Refrain from voting.
- b) Vote for any particular person.
- c) Refrain from voting for any particular person.

A violation of any of the provisions of this section shall be punishable by imprisonment in the state prison for 16 months or two or three years.

Consideration for Voting (Elections Code §18521)

A person shall not directly or through any other person receive, agree, or contract for, before, during or after an election, any money, gift, loan, or other valuable consideration, office, place, or employment for himself or any other person because he or any other person:

- a) Voted, agreed to vote, refrained from voting, or agreed to refrain from voting for any particular person or measure.
- b) Remained away from the polls.
- c) Refrained or agreed to refrain from voting.

- d) Induced any other person to:
 - 1) Remain away from the polls.
 - 2) Refrain from voting.
 - 3) Vote or refrain from voting for any particular person or measure.

Any person violating this section is punishable by imprisonment in the state prison for 16 months or two or three years.

Consideration for Voting (Elections Code §18522)

Neither a person nor a controlled committee shall directly or through any other person or controlled committee pay, lend, or contribute, or offer or promise to pay, lend, or contribute, any money or other valuable consideration to or for any voter or to or for any other person to:

- a) Induce any voter to:
 - 1) Refrain from voting at any election.
 - 2) Vote or refrain from voting at an election for any particular person or measure.
 - 3) Remain away from the polls at an election.
- a) Reward any voter for having:
 - 1) Refrained from voting.
 - 2) Voted for any particular person or measure.
 - 3) Refrained from voting for any particular person or measure.
 - 4) Remained away from the polls at an election.

Any person or candidate violating this section is punishable by imprisonment in the state prison for 16 months or two or three years.

Bribery at Election (Elections Code §18523)

A person shall not directly or through any other person advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person, with the intent that it, or any part thereof, shall be used in bribery at any election, or knowingly pay or cause to be paid any money or other valuable thing to any person in discharge or repayment of any money, wholly or in part, expended in bribery at any election.

Any person violating this section is punishable by imprisonment in the state prison for 16 months or two or three years.

Payment for Securing Vote (Elections Code §18524)

A person shall not directly or through any other person advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person, with the intent that it, or any part thereof, will be used for boarding, lodging, or maintaining a person at any place or domicile in any election precinct, ward, or district, with intent to secure the vote of that person or to induce that person to vote for any particular person or measure.

Any person violating this section is punishable by imprisonment in the state prison for 16 months or two or three years.

INTIMIDATION OF VOTERS

Compelling Another in Voting (Elections Code §18540)

- a) Every person who makes use of or threatens to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment in the state prison for 16 months or two or three years.
- b) Every person who hires or arranges for any other person to make use of or threaten to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment in the state prison for 16 months or two or three years.

Solicitation Dissuading Persons From Voting (Elections Code §18541)

- a) No person shall, with the intent of dissuading another person from voting, within 100 feet of a polling place:
 - 1) Solicit a vote or speak to a voter on the subject of marking his or her ballot.
 - 2) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.
- b) Any person who violates this section is punishable by imprisonment in the county jail for not more than 12 months, or in the state prison. Any person who conspires to violate this section is guilty of a felony.
- c) For purposes of this section, 100 feet means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Pay Envelopes May Not Contain Political Material (Elections Code §18542)

Every employer, whether a corporation or natural person, or any other person who employs, is guilty of a misdemeanor if, in paying his or her employees the salary or wages due them, encloses their pay in pay envelopes upon which or in which there is written or printed the name of any candidate or any political mottoes, devices, or arguments containing threats, express or implied, intended or calculated to influence the political opinions or actions of the employees.

Challenge Without Probable Cause (Elections Code §18543)

- a) Every person who knowingly challenges a person's right to vote without probable cause or on fraudulent or spurious grounds, or who engages in mass, indiscriminate, and groundless challenging of voters solely for the purpose of preventing voters from voting or to delay the process of voting, or who fraudulently advises any person that he or she is not eligible to vote or is not registered to vote when in fact that person is eligible or is registered, or who violates Section 14240, is punishable by imprisonment in the county jail for not more than 12 months or in the state prison.
- b) Every person who conspires to violate subdivision (a) is guilty of a felony.

Fine for Person in Possession of Firearm or Unauthorized Uniformed Personnel (Elections Code §18544)

- a) Any person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, who is stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate city or county elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment.
- b) This section shall not apply to any of the following:
 - 1) An unarmed uniformed guard or security personnel who is at the polling place to cast his or her vote.
 - 2) A peace officer who is conducting official business in the course of his or her public employment or who is at the polling place to cast his or her vote.
 - 3) A private guard or security personnel hired or arranged for by a city or county elections official.
 - 4) A private guard or security personnel hired or arranged for by the owner or manager of the facility or property in which the polling place is located if the guard or security personnel is not hired or arranged solely for the day on which an election is held.

Fine for Hiring of Person in Possession of Firearm or Uniformed Personnel (Elections Code §18545)

Any person who hires or arranges for any other person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, to be stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment. This section shall not apply to the owner or manager of the facility or property in which the polling place is located if the private guard or security personnel is not hired or arranged solely for the day on which the election is held.

Definition of Elections Official and Immediate Vicinity (Elections Code §18546)

As used in this article:

- a) "Elections official" means county clerk, registrar of voters, or city clerk.
- b) "Immediate vicinity" means the area within a distance of 100 feet from the room or rooms in which the voters are signing the roster and casting ballots.

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 Right of Way, Outdoor Advertising, 2208 N. Hayston, Fresno, CA 93703-2623, certifying a person who will be responsible for removing the signs. Forms are available at the Santa Cruz County Elections Department. Call (916) 654-4790 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 -- Santa Cruz County Code

Santa Cruz County Code, Section 13.10.583 states that temporary or political signs shall not be placed so as to constitute a traffic hazard. On January 12, 1993, the Board of Supervisors approved the following Public Works criteria for removal of signs as they might affect roadside safety:

Signs may be removed by authorized Public Works staff if they:

1. Block the sight distance on county roads at intersections of county roads, private roads or driveways.
2. Restrict the use of the highway or otherwise clearly cause problems for the traveling public.
3. Obscure fire hydrants, traffic signs, traffic signals or other traffic control devices.
4. Are attached to or distract the attention of drivers from any traffic control device.
5. Interfere with normal maintenance efforts.

6. Are identified as other traffic hazards by the Director of Public Works consistent with the content of this policy.

Action to remove signs under categories 1 through 4 above, generally requires immediate attention. For those matters covered under categories 5 and 6, Public Works staff will make reasonable effort to contact the responsible party, to relocate or remove the signs within 24 hours.

Pursuant to Section 1480.5 of the Streets and Highways Code, the Director of Public Works may immediately remove an encroachment which constitutes a traffic hazard or an encroachment which is an advertising sign or device of any description. In keeping with the provisions of Section 1480.5(d) any such sign removed by the Public Works Department which is of more than nominal value shall be held at a County maintenance yard for a reasonable period of time to allow the owner of the sign to retrieve it. The return of the sign may be conditioned upon payment of an amount sufficient to reimburse the Public Works Department for the expense of removal.

Outdoor Political Advertising - City Ordinances

Each city in Santa Cruz County has rules and regulations regarding outdoor political advertising. Contact the city clerk in Santa Cruz (420-5030), Capitola (475-7300), Scotts Valley (440-5602) or Watsonville (728-6005) for more information.

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 Chapter 13.10 of the Santa Cruz County Code (County Counsel opinion dated April 18, 1994)

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.

PROPOSITION 34

VOLUNTARY CAMPAIGN CONTRIBUTIONS AND EXPENDITURE LIMITS

County election officials shall designate in the Voter Information Pamphlet (*not on the Official or Sample Ballot*) those state legislative candidates who have voluntarily agreed to expenditure limits.

Candidates who have agreed to the expenditure limits will be listed in the order they will appear on the ballot, by contest, under a heading of “**Candidates Who Have Voluntarily Agreed to Expenditure Limits.**” The list will not contain the names of candidates who have not agreed to the limits.

Political party expenditures on behalf of a candidate do not count against these spending limits. Candidates who accept the voluntary spending limits may publish a 250-word statement in the county ballot pamphlet. Voluntary spending limits are lifted if an opposing candidate contributes personal funds to his or her campaign in excess of the spending limits.

Voluntary Spending Limits

	Primary	General
Senate	600,000	900,000
Assembly	400,000	700,000

Disclosure Requirements

- ❖ **24-Hour Reporting:** State candidates and state ballot measure committees must report within 24 hours contributions received of \$1,000 or more and independent expenditures made of \$1,000 or more during the period 90 days before an election.
- ❖ **Issue Advocacy Disclosure:** New electronic reporting requirement for anyone spending \$50,000 or more for a communication disseminated within 45 days of an election that clearly identifies a state candidate, but does not expressly advocate the election or defeat of that candidate.
- ❖ **Ballot Measure Advertisements:** Spokespersons paid \$5,000 or more to appear in ballot measure ads must be disclosed. In addition, Proposition 34 retains a provision of Prop. 208 requiring ballot measure ads to identify the top two of any donors that have given \$50,000 or more.

Contribution Limits

- ❖ **Contributions from Persons:**

\$ 3,200	Legislature
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The limits are **per election**. Contributions from an individual and a business or entity he or she controls, and from related entities may be **aggregated** for purposes of the limit. After an election, state candidates may accept contributions only to pay off outstanding **campaign debt**, and the contributions may not exceed the limits.

❖ **Small Contributor Committees:**

\$ 6,400 –	Legislature
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The limits are **per election**. A small contributor committee must have been in existence for 6 months, receive contributions of no more than \$200 from 100 or more persons, and make contributions to 5 or more candidates.

- ❖ **Contributions to PACs:** \$5,300 per calendar year.
- ❖ **Candidate Contributions:** A candidate's contributions to his or her own campaign are not limited, except a candidate may have no more than \$100,000 in personal loans to his or her own campaign outstanding at any time.
- ❖ **Lobbyist Contributions:** Prohibited if the lobbyist is registered to lobby the state candidate or officeholder's agency.
- ❖ **Contributions to Political Parties:** Limited to \$26,600 per calendar year for the purpose of making contributions for the support or defeat of candidates for state office. Contributions may not be "earmarked" for a particular candidate. No limit on contributions for "get out the vote" activities.
- ❖ **Contributions from Political Parties to Candidates:** No limit. In addition, moneys spent by a political party on membership communications do not count as contributions or expenditures.
- ❖ **Legal Defense Fund:** No limit on contributions to separate account used solely to fund legal costs incurred in proceedings arising directly out of an election campaign or the performance of the officeholder's duties.
- ❖ **Carryover and Transfers:** Legislative candidates may use funds held on 1/1/01 (date limits take effect for them) without restriction. Statewide and Bd. of Equalization candidates may use funds held on 11/6/02 (date limits take effect for them) without restriction. After 1/1/01, a state candidate may transfer up to \$3,000 to another state candidate
- ❖ **Other Contribution Requirements:** A committee must return within 60 days any contribution of \$100 or more if the committee does not have the contributor's name, address, occupation and employer on file. A committee that receives a contribution in violation of the Act's prohibition on **money laundering** must pay the amount of the contribution to the General Fund.
- ❖ State candidates may raise funds for the general election before the date of the primary. Candidates must set aside funds raised for the general election for use in that election.
- ❖ A candidate who loses in the primary or withdraws from the general must refund general election funds to contributors on a pro rata basis, less fundraising expenses. (§85318)
- ❖ State candidates may accept contributions after an election only to the extent the candidate has debts outstanding from that election, and the contribution does not exceed applicable contribution limits. (§85316)
- ❖ Definition of when funds become "surplus" is the same as current law.
- ❖ Repayment of contributions from surplus funds need not be pro rata. Surplus funds contributed to a political party committee may not be used to support or oppose candidates, but may be used for partisan voter registration, get-out-the-vote activities, and slate mailers.

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 manuals are available at the Elections Department. Candidates or committees must check to be sure they are using the correct manual and addendum, if any.

- ❖ **Manual A** is for elected officers or candidates for state and local elective offices (including judges) and their controlled campaign committees.
- ❖ **Manual B** is for non-controlled committees primarily formed to support or oppose specific state or local candidates.
- ❖ **Manual C** is for general purpose committees including political committees and broad based political committees.
- ❖ **Manual D** is for recipient committees formed to support or oppose the qualification or passage of a state or local ballot measure.

Candidate Intention Statement (501)

FPPC Form 501 applies only to **candidates** who want to raise or spend money. The Form 501 does not apply to Political Action Committees (PACS), Independent Political Committees, or Broad Based Political Committees. The form is available from the County Elections Department or on the internet at www.votescount.com Once filed with the Secretary of State, the Form 501 is public information.

FORM	DESCRIPTION	WHERE TO FILE
501	<p>Candidate Intention Statement. A candidate must file this form prior to the solicitation or receipt of any contribution, including the solicitation or receipt of contributions to pay off debts from a previous election, or to pay the current office holder expenses. A form 501 must be filed for each election, including runoff elections.</p> <p>Candidates must file a separate Form 501 for each election, including reelection to the same office.</p> <p>Part 2 of the Form 501 is where candidates for state offices either accept or do not accept expenditure limits pursuant to Proposition 34 (11/00)</p>	<p>Secretary of State Candidates for county offices must also file with the Elections Department within 24 hours of opening the campaign account.</p> <p style="text-align: right;">8.04.060(c)</p>

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.

FORM	DESCRIPTION	WHO FILES	NUMBER NEEDED & WHERE TO FILE
410	<p>Statement of Organization & Termination. For use by all recipient committees which receive contributions of \$1,000 or more – including person funds. 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>Bank account information previously reported on the 502, is now reported on the 410.</p> <p>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.</p>	<p>County Offices, Supervisors, Judges</p> <p>State Legislative</p>	<p>File original and 1 copy with SOS & 1 copy with Elections.</p> <p>File original and 1 copy with SOS;</p>
450	<p>Recipient Committee Campaign Disclosure Statement – Short Form. For use by 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>	<p>County Offices, Supervisors, Judges</p> <p>State Legislative</p>	<p>File original & 1 copy with Elections; 2 copies with home county if different.</p> <p>File original and 1 copy with SOS; 2 copies w/county w/most voters; and 2 copies with home county if different.</p>

FORM	DESCRIPTION	WHO FILES	NUMBER NEEDED & WHERE TO FILE
470	Officeholder & Candidate Campaign Statement – Short Form. Officeholders & candidates who do not have a controlled committee and do not anticipate spending or receiving \$1,000 or more (including personal funds).	County Offices, Supervisors, Judges	File original & 1 copy with Elections; 2 copies w/home county if different.
		State Legislative	File original and 1 copy with SOS; 2 copies w/county w/most voters; 2 copies w/home county if different.
470 Supplement	Officeholder, Candidate & Controlled Committee Campaign Statement – Supplement. 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: <ul style="list-style-type: none"> ❖ 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. <u>Regular mail may not be used.</u>
405	Amendment to Campaign Disclosure Statement. Used to amend campaign disclosure statements 425, 450, 465, 470, 495, 496 and 497. A revised Summary Page should accompany any amendment that changes the cash position for each statement period affected. There is no deadline for filing; however, all amendments should be filed as soon as practical.	County Offices, Supervisors, Judges	File original & 1 copy with Elections; 2 copies w/home county if different.
		State Legislative	File original and 1 copy with SOS; 2 copies w/county w/most voters; 2 copies w/home county if different.

FORM	DESCRIPTION	WHO FILES	NUMBER NEEDED & WHERE TO FILE
460	<p>New California Long Form. The three former “long form” campaign reports (Form 419 for ballot measure committees, Form 420 for general recipient committees, and Form 490 for candidates and their controlled committees) have been combined into one form for use by all candidates and committees. An amendment box is provided to identify amended filings. Form 405 is not need to amend the Form 460.</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.</p>	<p>County Offices, Supervisors, Judges</p> <p>State Legislative</p>	<p>File original & 1 copy with Elections; 2 copies w/home county if different.</p> <p>File original and 1 copy with SOS; 2 copies w/county w/most voters; 2 copies w/home county if different.</p>
465	<p>Supplemental Independent Expenditure Report. Used to provide supplemental disclosure information in the jurisdiction of an election in which the filer has made “independent expenditures” totaling \$500 or more to support or oppose a single candidate, a single measure, or the qualification of a single measure.</p>	All	<p>File original and 1 copy with SOS; 2 copies w/county w/most voters; 2 copies w/home county if different.</p>
496	<p>Late Independent Expenditure Report (Revised in 1999). Includes any independent expenditure that totals in the aggregate \$1,000 or more, and 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. Revision adds a requirement that each report include the date and a report number, as well as an amendment identifier.</p> <p>File within 24 hours of making expenditure.</p>	<p>County Offices, Supervisors, Judges</p> <p>State Legislative</p>	<p>File original & 1 copy with Elections; 2 copies w/home county if different.</p> <p>File original and 1 copy with SOS; 2 copies w/county w/most voters; 2 copies w/home county if different.</p>

FORM	DESCRIPTION	WHO FILES	NUMBER NEEDED & WHERE TO FILE
497	<p>Late Contribution Report (Revised 1999). 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.</p> <p>File within 24 hours of making contribution.</p>	County Offices, Supervisors, Judges	File original & 1 copy with Elections; 2 copies w/home county if different.
		State Legislative	File original and 1 copy with SOS; 2 copies w/county w/most voters; 2 copies w/home county if different.

Major Donors / Independent Expenditure Committees / Slate Mailer Organizations

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

- ❖ **Manual E** is for Major Donor Committees and Independent Expenditure Committees
- ❖ **Manual F** is for Slate Mailer Organizations

There are additional forms and requirements for these committees and organizations. Please see the Elections Department for more information.

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.

Late Filings

There are no provisions for granting “extensions” of the filing deadlines.

If a candidate, officeholder, or committee is required to file a statement and has failed to do so by the deadline, the Santa Cruz County Elections Department staff will:

1. Telephone the responsible party
2. Provide written notice that statement must be filed within 10 days (5 days for 2nd Pre-Election Statement) noting that a fine of \$10 per day beginning the day after the filing deadline until the date the statement is filed will be assessed unless waived by the Elections Official. The **maximum** penalty is \$100 or the total amount of contributions received or the total amount of expenditures made (whichever is greater) during the period covered by the late statement.

Fines may not be waived if statement is not filed within 10 days after specific notice is sent by the elections official (or 5 days for 2nd Pre-Election Statements).

Failure to file a statement after appropriate notice will be referred to an enforcement official and can result in substantial criminal, civil and administrative penalties.

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.

CAMPAIGN FILING SCHEDULE FOR MARCH 2, 2004

Filing Deadline	Type of Statement	Period Covered¹	Method of Delivery
Within 10 Business Days	\$5,000 Report ²	Any time other than 90-day election cycle (see below)	❖ Online or Electronically with SOS
October 10, 2003	Pre-Election ³	1/1/03 to 9/30/03 or 7/1/03 to 9/30/03	❖ Personal Delivery ⁴ ❖ First Class Mail
Within 24 Hours	\$1,000 Election Cycle Report ⁵	12/3/03 to 3/2/04	❖ Online or Electronically with SOS ⁶
January 10, 2004⁷	Semi-Annual	1/1/03 to 12/31/03 7/1/03 to 12/31/03 or 9/30/03 to 12/31/03	❖ Personal Delivery ❖ First Class Mail
January 22, 2004	1st Pre-Election	1/1/04 to 1/17/04	❖ Personal Delivery ❖ First Class Mail
Within 48 Hours	Issue Advocacy Disclosure Stmt ⁸	1/17/04 to 3/1/04	❖ Online or Electronically with SOS
February 19, 2004	2nd Pre-Election	1/18/04 to 2/14/04	❖ Personal Delivery ❖ Guaranteed Overnight Service
February 27, 2004	3rd Pre-Election Statement for County Candidates ONLY	2-15-04 to 2-26-04	❖ Personal Delivery
24 Hours	Late Contributions ⁹ and Late Independent Expenditures of \$1,000 or more ³	2/15/04 to 3/1/04	❖ Personal Delivery ❖ Telegram ❖ Guaranteed Overnight Service ❖ FAX
July 31, 2004⁷	Semi-Annual	2/15/04 to 6/30/04	❖ Personal Delivery ❖ First Class Mail

FOOTNOTES

^{1/} 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.

^{2/} Candidates and ballot measure committees that are required to file electronically with the Secretary of State must file this report if they receive a contribution of \$5,000 or more from a single source at any time other than the 90-day election cycle. (See footnote 5.) This report is not required for committees primarily formed to support or oppose state candidates.

^{3/} Candidates who filed a Form 501 (Candidate Intention) by September 30, 2003, for the March 2004 election and committees primarily formed to support or oppose such candidates must file by October 10. Committees primarily formed to support or oppose a ballot measure being voted on March 2, 2004, also must file by October 10.

^{4/} In addition to paper reports, candidates and committees must file electronically if, since January 1, 2000, they receive contributions or make expenditures totaling \$50,000 or more. For more information, visit the Secretary of State's web site at www.ss.ca.gov

^{5/} "Election cycle" is defined as 90 days prior to an election and ending on the date of election.

Candidates and ballot measure committees that are required to file electronically with the Secretary of State must file this report if they receive a contribution of \$1,000 or more from a single source during the period December 3, 2003, through March 2, 2004. No paper copy is required to be filed except during the late contribution period. This report is not required for committees primarily formed to support or oppose state candidates.

^{6/} Committees that are required to file electronically with the Secretary of State must file a report disclosing each independent expenditure of \$1,000 or more made to support or oppose a state candidate or ballot measure being voted on March 2, 2004. No paper copy is required to be filed, except during the late independent expenditure period. Also see footnote 10.

^{7/} Because January 10 and July 31, 2004, fall on a Saturday, these filing deadlines are extended to January 12 and August 2, 2004, respectively.

^{8/} A committee that makes a payment or a promise of payment of \$50,000 or more for a communication that clearly identifies a state candidate but does not expressly advocate the election or defeat of the candidate, must file E530 electronically with the Secretary of State. The report must be filed within 48 hours of making or promising to make the payment. No paper copy is required to be filed.

^{9/} The recipient of a late in-kind contribution must file a late contribution report within 48 hours from the time the in-kind contribution is received.

^{10/} A controlled committee of a candidate may not make an independent expenditure to support or oppose another candidate. (Gov. Code § 85501.)

Additional Notes:

- There is no provision in the law for an extension of a filing deadline. Late statements are subject to a \$10 per day late fine. Santa Cruz County filers should obtain our late filing policy.
- All statements are public documents.
- State candidates are subject to contribution limits.
- A committee that makes an expenditure totaling \$5,000 or more to an individual to appear in an advertisement to support or oppose a ballot measure must report the expenditure within 10 days on FPPC Form 511.

CAMPAIGN FILING SCHEDULE FOR NOVEMBER 2, 2004

Filing Deadline	Type of Statement	Period Covered	Method of Delivery
October 5, 2004	1st Pre-Election	Date of last statement filed to 9/30/04	❖ Personal Delivery ❖ First Class Mail
October 21, 2004	2nd Pre-Election	10/1/04 to 10/16/04	❖ Personal Delivery ❖ Guaranteed Overnight Service
October 29, 2004	3rd Pre-Election Statement for County Candidates ONLY	10/17/04 to 10/28/04	❖ Personal Delivery
24 Hours	Late Contributions* and Late Independent Expenditures of \$1,000 or more	10/6/04 to 11/2/04	❖ Personal Delivery ❖ Telegram ❖ Guaranteed Overnight Service ❖ FAX
January 31, 2005	Semi-Annual	10/17/04 or 10/29/04 to 12/31/04	❖ Personal Delivery ❖ First Class Mail
*Since the actual deadline date falls on a holiday, the deadline is extended to the next business day.			

Method of Delivery	Considered Received
Personal Delivery	On date delivered
Guaranteed Overnight Delivery	On date delivery service receives materials
First Class Mail	On date of postmark. If not received, sender must possess post office receipt with date of deposit and filing officer's name and address.

FAIR POLITICAL PRACTICES COMMISSION

IMPORTANT INFORMATION TO NOTE

- ❖ If independent expenditures of \$1,000 or more are made in connection with the election, call the FPPC for guidance on filing special reports.
- ❖ There is no provision in the law for an extension of the filing deadline. Late statements are subject to a \$10 per day late fine.
- ❖ Campaign statements of 30 pages or fewer may be faxed provided that the exact original and the required copies are sent to the filing officer(s) by first-class mail or by guaranteed overnight delivery service within 24 hours of the filing deadline.
- ❖ Refer to appropriate campaign disclosure manuals to determine where to file campaign statements.
- ❖ All statements are public documents.
- ❖ State Assembly and Senate candidates are subject to contribution limits effective January 1, 2001. (Gov. Code §§85301 and 85302.) In addition, new disclosure requirements are in effect for state and local candidates and committees. For more information, visit the FPPC website at www.fppc.ca.gov.

HOW TO GET HELP FROM THE FPPC

Assistance by Telephone	Assistance by Mail
Call Toll-Free 1-866-ASK-FPPC (1-866-275-3772) or 1-916-322-5660	Fair Political Practices Commission 428 J Street, Suite 620 Sacramento, CA 95814 or P. O. Box 807 Sacramento, CA 95812-0807
Enforcement Complaints	Assistance by Fax
1-800-561-1861	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 1-916-322-5660 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 is special prompt that allows you to order forms, manuals and other materials any time.

Written Advice

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 or faxed to 1-916-327-2026. 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 Elections Code, 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 (previously reported on a Form 502, which has been eliminated)
- ❖ 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.

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 Santa Cruz County Elections Department. The Form 700 must be filed with the Elections Department with the Declaration of Candidacy. Declarations of Candidacy are filed between November 12 and December 7.

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. Santa Cruz County filers should obtain our late filing policy. (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 page. (Gov. Code §81008)

ELECTIONEERING ON ELECTION DAY

100 Feet Rule

Pursuant to Elections Code Section 18370 no person on Election Day shall, within 100 feet of a polling place:

- ❖ 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 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" shall mean a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Elections Code Section 18541 provides that any person who violates the above provisions is punishable by imprisonment in county jail for not more than 12 months or state prison. Any person who conspires to violate this section is guilty of a felony.

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 NIGHT RESULTS

WHERE:

Ballots are counted at the Elections Department:

**701 Ocean St., Room 210
Santa Cruz, CA**

CONTACTS:

Richard W. Bedal, County Clerk
Gail L. Pellerin, Elections Manager

WEB PAGE:

Please visit our web site at

www.votescount.com

for information on the March primary.

ABSENTEE RESULTS:

Released soon after 8 p.m.

ELECTION RETURNS:

Telephones will be staffed until all the ballots are counted election night for callers to phone in and obtain results.

CALL 831-454-2060.

Results will also be posted on our web site at www.votescount.com

Election results by contest are simple to provide over the phone. However, if you are interested in obtaining more specific voting result information, we encourage you to be present at the Elections Department.

SEMI-OFFICIAL RESULTS:

Once the last ballot is counted, a Semi-Official Election Summary Report will be available from the Elections Department. It will also be posted on our web site.

FINAL RESULTS:

The official canvass of ballots will begin no later than Thursday, March 4. It typically takes three to four weeks to complete the canvass. Please call to verify when the final count will occur.

THE CANVASS

The official canvass of votes cast at the March 2, 2004 primary election may begin no later than Thursday, March 4, 2004 pursuant to Elections Code §15301, 15372.

PERIODIC UPDATES OF RESULTS BEFORE FINAL CERTIFICATION: In some cases the Elections Department will do periodic updates of the vote count. Once all provisional ballots and absentee ballots are processed and precinct supplies are sorted through to ensure all ballots are accounted for, a final count of ballots will take place. The time and date of any update and the final count will be provided to interested persons.

ABSENTEE BALLOT NUMBERS PROVIDED BY DISTRICT: Absentee ballots may be dropped off at any polling place on Election Day. In addition, numerous absentee ballots are received in the mail or our drop box in front of the county building in the final days before the election and are stored in trays until after Election Day when there is adequate time to process these ballots. Therefore, on election night, the Elections Department will **NOT** be able to provide the total number of absentees that remain to be counted during the canvass.

Once all of the absentee ballots are keyed into the computer system and flagged as returned, we will be able to provide a count of absentees left to be processed. A report can be run that will show how many remain in each ballot type.

Usually, this report is available within 5 working days after the election.

CANVASS PROCESS INCLUDES:

ABSENTEE BALLOT PROCESSING: On election night all the absentee ballots that have been received and processed prior to Election Day are counted. For an absentee ballot to be ready to be counted, the following has to occur:

- a) flag returned absentee ballots on computer system;
- b) compare signature of voter on absentee envelope to the signature on computer from the voter's registration affidavit, if there is a discrepancy, the ballot is separated for review by a supervisor;
- c) sort absentee ballots by consolidated voting precinct;
- d) open absentee identification envelopes within each sorted group. Identification envelopes are placed signature side down and the voted ballot cards inside the secrecy envelope are removed. Envelopes returned with no voted ballot cards are so noted. Empty identification envelopes are removed from the table. The number of opened absentee identification envelopes are counted and the number of gray secrecy envelopes with voted ballots are counted. If numbers do not match, research is done until the numbers are reconciled;
- e) voted ballot cards are then removed from the secrecy envelopes. Voted ballot cards are inspected for damage, tape, marks that would affect the accuracy of counting the ballot, and ballots marked with a device other than a Number 2 pencil or Mark-A-Vote pen. Ballot cards are corrected pursuant to Elections Code §15210 or duplicated if necessary by the canvassing board.

f) absentee ballots issued on the day before or the day of the election are verified against the precinct rosters prior to processing to ensure against voting twice. Lists of absentee voters who are issued ballots prior to the day before the election are delivered to the precinct inspectors who mark the names in the Alpha Index as having already received a ballot.

g) ballots are then prepared for tallying final election results.

It typically takes approximately 10 days to process the outstanding Absentee ballots.

PROVISIONAL BALLOT NUMBERS & PROCESSING: The number of provisional ballots voted at each precinct is available election night. However, the number of provisional ballots voted at the Elections office or central location are not tallied. Therefore, an official number of provisional ballots to be processed will not be available until the ballot envelopes are researched and keyed into the computer.

The Elections Department does not provide a breakdown of the numbers of provisional ballots by district, but can provide the list of those turned in by precinct and a list of precincts in each district.

Provisional voters include:

- ❖ registered voters who move within the same county but fail to re-register to vote, who vote at their new polling place, the Elections Department or central location;
- ❖ voters who are not listed on the Alpha Index at the polling place;
- ❖ voters who have been issued an absentee ballot, show up at the polling place to vote, but fail to surrender their absentee ballot;
- ❖ any other voter whose eligibility to vote was questioned by the precinct officer.

Provisional ballots are investigated by the Canvass Board once all of the absentees have been keyed in as returned. Where there is a question of the voter's right to vote, the supervisor investigates. All valid provisional ballots are then prepared for the official count.

The provisional ballot process takes 5 to 10 days following completion of the Absentee ballot processing.

RECONCILIATION - PRECINCT BALLOTS: The Canvass Board reviews Ballot Statements for accuracy and compares numbers of ballots counted by the computer to the number recorded by the Precinct Board. The Canvass Board verifies the number of Absentee and Provisional ballots reported turned in by the Precinct Board with the number received by the Receiving Board on Election night. Differences are computed and discrepancies are investigated. Ballot cards which were not tallied election night because they were damaged or rejected by the card reader are remade for the final ballot count. The Canvass Board also examines each roster for completion of all Certificates, Oaths and Declarations. Irregularities are noted and investigated. Payroll forms are forwarded to the Precinct Recruitment Officer who enters in the appropriate information on the computer data base and forwards the payroll tape to the Auditor.

This procedure takes 3 to 5 days.

WRITE-IN VOTES: Votes for qualified write-in candidates are manually counted by precinct. A summary of the votes cast for qualified write-in candidates is printed in the certified statement of vote. A copy is available upon the final tally of the votes cast. Votes are not tallied for write-in candidates that did not file as a qualified write-in candidate.

This procedure takes 3 to 5 days depending on the number of write-in candidates.

1% MANUAL RECOUNT (§15360): The procedure for randomly selecting precincts to be counted in the 1 percent manual recount consists of identifying three polling places and one mailed ballot precinct which obtain the most races with the least amount of overlap. All races are to be tallied for these precincts. In addition to the 1 percent recount, one precinct is counted for each race not covered in the 1 percent. The manual recount is then applied to only the race/s not previously counted. Results of the manual recount are compared to the election night tally results. Discrepancies are investigated and if necessary the race is manually re-tallied.

The 1 percent recount procedure takes approximately 2 to 4 days.

FINAL OFFICIAL COUNT: The Logic and Accuracy Test is run, reviewed and approved to ensure the card readers are operating correctly. The absentee, provisional and any remade ballot cards are then counted by the card readers. A final computer print-out summarizing the votes in all races is then made available. Any irregularities and/or discrepancies are investigated and reconciled.

A Statement of the Votes cast includes:

- ❖ The total number of ballots cast;
- ❖ The number of votes cast at each precinct for each candidate and for and against each measure;
- ❖ The total number of votes cast for each candidate and for and against each measure;
- ❖ The total number of votes cast in each city, Assembly district, Congressional district, Senatorial district, State Board of Equalization district, supervisorial district for each candidate for the offices of presidential elector and all statewide offices and on each statewide ballot proposition.

A certified copy of the Statement of Vote is available for purchase within 7 days of the final count and will be available online at www.votescount.com

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, and we do remain open between the hours of noon to 1:00 p.m. On Election Day we are open from 6:00 a.m. until the last ballot is counted.

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

According to Elections Code §10510, "No candidate shall withdraw his or her declaration of candidacy after 5 p.m. on the 88th 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 or mail them to you?

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 Elections Department 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.