

# ORANGE COUNTY

## CANDIDATE'S HANDBOOK FOR THE PRIMARY ELECTION JUNE 8, 2010



ORANGE COUNTY REGISTRAR OF VOTERS  
1300 S. GRAND AVENUE, BLDG. C  
SANTA ANA, CA 92705  
(714) 567-7600  
[WWW.OCVOTE.COM](http://WWW.OCVOTE.COM)

**THE 2010 CANDIDATE'S HANDBOOK FOR THE  
PRIMARY ELECTION IS INTENDED TO PROVIDE  
GENERAL INFORMATION FOR CANDIDATES AND  
COMMITTEES, AND DOES NOT HAVE THE FORCE  
AND EFFECT OF LAW, REGULATION OR RULE. IT IS  
DISTRIBUTED WITH THE UNDERSTANDING THAT  
THE REGISTRAR OF VOTERS OF THE COUNTY OF  
ORANGE IS NOT RENDERING LEGAL ADVICE.**

**THEREFORE, THE HANDBOOK IS NOT A  
SUBSTITUTE FOR LEGAL COUNSEL FOR THE  
INDIVIDUAL, ORGANIZATION OR CANDIDATE USING  
IT.**

**THE REGISTRAR OF VOTERS STRONGLY  
RECOMMENDS THAT ANY PROSPECTIVE  
CANDIDATE OBTAIN LEGAL ADVICE, TO ASSIST IN  
COMPLYING WITH APPLICABLE CALIFORNIA LAWS,  
INCLUDING THE CALIFORNIA ELECTIONS CODE AND  
CALIFORNIA GOVERNMENT CODE.**

## IMPORTANT TELEPHONE NUMBERS/WEBSITES

### ORANGE COUNTY REGISTRAR OF VOTERS

GENERAL INFORMATION	(714) 567-7600
TDD (Hearing Impaired)	(714) 567-7608
FAX	(714) 567-7556
WEBSITE	<a href="http://www.ocvote.com">www.ocvote.com</a>
VOTE-BY-MAIL VOTER DIVISION (Vote-by-Mail Ballot Applications, Information)	(714) 567-7560
CAMPAIGN DISCLOSURE DIVISION (Financial Disclosure Statements, Information)	(714) 567-7558
CAMPAIGN MATERIALS DIVISION (Maps, Precinct Information) (Voter List, Street Index, Information on CD)	(714) 567-7586 (714) 567-7615
CANDIDATE FILING DIVISION (Filing Requirements for Office)	(714) 567-7561
VOTER REGISTRATION DIVISION (Voter Registration Forms, Information)	(714) 567-7569

### OFFICE OF THE SECRETARY OF STATE

ELECTIONS DIVISION	(916) 657-2166
FAX (General Information, Filing for State/Federal Offices)	(916) 653-3214
WEBSITE	<a href="http://www.sos.ca.gov">www.sos.ca.gov</a>
POLITICAL REFORM DIVISION (Committee ID Number, Termination)	(916) 653-6224
FAX	(916) 653-5045

### FAIR POLITICAL PRACTICES COMMISSION

TECHNICAL ASSISTANCE DIVISION (Mon -Thurs, 8 - 5)	(866) 275-3772
FAX (Campaign Disclosure, State Contribution Limits, Conflict of Interest Disclosure)	(916) 322-0886
WEBSITE	<a href="http://www.fppc.ca.gov">www.fppc.ca.gov</a>
ENFORCEMENT DIVISION (File Complaint under Political Reform Act)	(866) 275-3772

### STATE FRANCHISE TAX BOARD

AUTOMATED INFORMATION (Committee Tax Status, Tax Deductible Contributions Charitable Non-Profit Groups, General Information)	(800) 852-5711 (800) 338-0505
WEBSITE	<a href="http://www.ftb.ca.gov">www.ftb.ca.gov</a>
CA RELAY SERVICE -- TDD (800) 822-6268	(800) 735-2922

### FEDERAL ELECTION COMMISSION

(Federal Campaign Disclosure, Contributions from National Banks, National Corporations, Foreign Nationals)	(800) 424-9530
WEBSITE	<a href="http://www.fec.gov/">www.fec.gov/</a>

## TABLE OF CONTENTS

	Page(s)
Election Calendar.....	1-12
Political Subdivisions.....	13
Offices to be Filled.....	14-18
Filing Fees.....	19
Nomination Signatures Required.....	20
Signatures In-Lieu Of Filing Fee and Information.....	21-27
Qualifications (General) to Run For and Hold Public Office.....	28
Qualifications (Special) to Run For and Hold Public Office.....	29-37
Declaration of Intention.....	38
Nomination Documents.....	39-43
Dates of Taking Office.....	43
Ballot Designations.....	44-48
Ballot Order of Candidates.....	49-50
Candidate Statement (of Qualifications).....	51-56
Candidate's Statement Deposit Requirement.....	57
Candidate's Statement Word Count.....	58-59
Court of Appeal Decision – Candidate Statements.....	60-64
Write-In Candidate's Procedures.....	65
Campaign Disclosure Filing Schedule.....	66
Campaign Disclosure Filing Requirements.....	67
Statement of Economic Interests.....	68
Political Advertisement Requirements.....	69
Poll Watcher Guidelines.....	70
Election Night Results.....	71
Department of Transportation Political Sign Information.....	72-74
Penal Provisions.....	75-77
Services to Candidates.....	78

## PRIMARY ELECTION CALENDAR – JUNE 8, 2010

All section references are to the Elections Code unless stated otherwise. Gov't references the California Government Code; Ed. references the California Education Code.

January 1, 2010\*  
through  
February 10, 2010  
(E-158 – 118)

### PETITIONS WITH SIGNATURES IN LIEU OF FILING FEE (JUDICIAL OFFICES OF THE SUPERIOR COURT ONLY):

Dates between which all candidates for judicial offices of the Superior Court may obtain from the Registrar of Voters office petition forms for securing signatures in lieu of paying for all of, or any part of, the filing fee for an office. **§§ 8061, 8105, 8106**

Only registered voters who are qualified to vote for the candidate may sign the petition. No voter shall sign more petitions for candidates than there are offices to be filled. **§ 8106**

The Registrar of Voters office will issue forms for obtaining the minimum number of signatures in lieu of filing fee. If the candidate requires an additional quantity of forms, the candidate may duplicate a blank form to obtain the desired quantity. **§ 8106**

Signatures on petitions in lieu of filing fee may be applied to and combined with the valid number of signatures on the nomination paper to satisfy the signature requirement for the office. **§ 8061**

The last day to file petitions in lieu of paying a filing fee for candidates for judicial office of the Superior Court is **February 10, 2010, 5:00 p.m.** **§§ 8105(b), 8106**

### PETITIONS WITH SIGNATURES IN LIEU OF FILING FEE (NOT JUDICIAL OFFICES OF THE SUPERIOR COURT):

Dates between which all candidates for offices, other than judicial offices of the Superior Court, may obtain from the Registrar of Voters office petition forms for securing signatures in lieu of paying for all of, or any part of, the filing fee for an office. **§§ 8061, 8105, 8106**

Only registered voters who are qualified to vote for the candidate may sign the petition. No voter shall sign more petitions for candidates than there are offices to be filled. **§ 8106**

The Registrar of Voters office will issue forms for obtaining the minimum number of signatures in lieu of filing fee. If the candidate

January 1, 2010\*  
through  
February 25, 2010  
(E-158 -- 103)

February 1, 2010  
through  
February 10, 2010  
(E-127 - 118)

January 31, 2010\*  
(Date fixed by law)  
(E-128)

February 11, 2010  
through  
February 15, 2010\*  
(E-117 - 113)

requires an additional quantity of forms, the candidate may duplicate a blank form to obtain the desired quantity. § 8106

Signatures on petitions in lieu of filing fee may be applied to and combined with the valid number of signatures on the nomination paper to satisfy the signature requirement for the office. § 8061

The last day to file petitions in lieu of paying a filing fee for all candidates for offices, other than judicial offices of the Superior Court, who must pay a filing fee is **February 25, 2010, 5:00 p.m.**  
§§ 8105, 8106

DECLARATION OF INTENTION (JUDICIAL OFFICES OF THE SUPERIOR COURT ONLY): Dates between which candidates for judicial offices of the Superior Court must file a Declaration of Intention to become a candidate for office. § 8023

EXCEPTION: If an incumbent fails to file a Declaration of Intention by **February 10, 2010, 5:00 p.m.**, persons other than the incumbent have until **February 15, 2010\*, 5:00 p.m.** to file a Declaration of Intention.  
§§ 8022, 8023(b)

The filing fee or petitions in lieu of the filing fee, all or part, must be submitted at the time the Declaration of Intention is filed. The filing fee is nonrefundable. This applies to all candidates who are required to file a Declaration of Intention.  
§ 8105(b)

SEMI-ANNUAL CAMPAIGN DISCLOSURE STATEMENTS DUE: Last day to file semi-annual campaign disclosure statements for all candidates and slate mailer organizations for the period ending **December 31, 2009.**  
Gov't §§ 84200, 84218

EXTENDED FILING PERIOD FOR DECLARATION OF INTENTION (JUDICIAL OFFICES OF THE SUPERIOR COURT ONLY): Extension period for persons other than the incumbent where the incumbent fails to file a Declaration of Intention by **February 10, 2010, 5:00 p.m.** §§ 8022, 8023(b)

\*If this date falls on a Saturday, Sunday, or holiday, use the next business day.

February 15, 2010\*  
through  
March 12, 2010  
(E-113 -- 88)

DECLARATION OF CANDIDACY AND NOMINATION PAPERS -- CANDIDATE FILING (ALL OFFICES, INCLUDING JUDICIAL OFFICES OF THE SUPERIOR COURT): Nomination papers and Declaration of Candidacy forms for all offices may be obtained from and must be delivered for filing to the Registrar of Voters office from **February 15, 2010\* through March 12, 2010, 5:00 p.m.**  
**§§ 8020, 8041, 8061, 8100, 8105, 8106, 10407**

EXCEPTION: If an incumbent, (see below regarding Judges of the Superior Court), fails to file nomination papers and a Declaration of Candidacy by **March 12, 2010**, the filing period is extended through **March 17, 2010** for all qualified persons other than the incumbent. However if the incumbent's failure to file nomination documents is because he/she has already served the maximum number of terms permitted by the California Constitution for that office, there shall be no extension of the period for filing the nomination documents.  
**§§ 8022, 8024, 8204**

If an incumbent Judge of the Superior Court files a Declaration of Intention, but fails to qualify for the nomination by **March 12, 2010**, there is a 5-day extension allowed for all qualified persons other than the incumbent to file for such office, notwithstanding that he/she has not filed a written and signed Declaration of Intention to become a candidate for the office.  
**§ 8204**

The signers of nomination papers must be registered 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.  
**§ 8068**

Filing fees must be paid at the time the nomination papers are obtained from the Registrar of Voters. This fee is nonrefundable. **(Candidates for judicial offices of the Superior Court pay the filing fee at the time of filing the Declaration of Intention to become a candidate.)** Signatures appearing on a filed petition in lieu of a filing fee can be counted toward the number of signatures required for the candidate's nomination paper. If the candidate's petition in lieu of filing fee contains the requisite number of valid signatures required for his/her nomination paper, the Registrar of Voters shall not require the candidate to circulate a nomination paper to be signed by qualified registered voters.  
**§§ 8061, 8105, 8106**

\*If this date falls on a Saturday, Sunday, or holiday, use the next business day.

February 15, 2010\*  
through  
March 12, 2010  
(E-113 – 88)

February 15, 2010\*  
through  
March 12, 2010  
(E-113 – 88)

Candidates who submit petitions in lieu of filing fee that do not contain the requisite number of signatures for the nomination paper are still entitled to file nomination papers during the nomination period provided the filing fee has been paid.

**§§ 8061, 8106**

STATEMENT OF ECONOMIC INTERESTS: Every candidate for an office specified in Government Code section 87200, other than a Justice of an Appellate or the Supreme Court, shall file no later than the final filing date for a Declaration of Candidacy, a statement disclosing his/her investments and his/her interests in real property and any income received during the immediately preceding 12 months. Such statement is not required if the candidate has filed, within 60 days prior to the filing of his/her Declaration of Candidacy, a statement for the same jurisdiction.

**Gov't §§ 87200, 87201, 87500**

CANDIDATES' STATEMENTS OF QUALIFICATIONS

FOR NONPARTISAN OFFICES: Each candidate for a nonpartisan office may prepare a statement on a form provided by the Registrar of Voters office. The statement may contain no more than 200 words, unless the governing body of the local agency has authorized the statement to contain 400 words. The statement must be filed at the same time the Declaration of Candidacy is filed. **The statement may be withdrawn, but not changed, during the nomination period and until 5:00 p.m. of the next working day after the close of the nomination period.** If the nomination period is extended because an incumbent eligible for reelection failed to file a Declaration of Candidacy, a candidate filing during the extended filing period may file a candidate's statement. The next working day after the close of the extended filing period for the office is the last day that a candidate's statement may be withdrawn. **A candidate's statement may not be changed.**

The Registrar of Voters office will estimate the total cost of printing and handling the candidate's statement and will require each candidate filing a statement to pay in advance his/her estimated pro rata share as a condition of having his/her statement included in the voter's pamphlet. This amount must be paid at the time the candidate's statement is filed. If there is an underpayment, the candidate shall be required to pay the balance of the cost incurred. Overpayments will be refunded within 30 days of the election.

**§ 13307**

\*If this date falls on a Saturday, Sunday, or holiday, use the next business day.



February 15, 2010\*  
through  
March 12, 2010  
(E-113 – 88)

February 15, 2010\*  
through  
March 12, 2010  
(E-113 – 88)

February 25, 2010  
(E-103)

The candidate's statement is confidential until after the expiration of the filing period. Copies of all candidates' statements will be available for public inspection at the Registrar of Voters office and on the ROV website for 10 calendar days prior to being submitted for printing. **§§ 13311, 13313**

CANDIDATES' STATEMENTS OF QUALIFICATIONS

FOR CONGRESSIONAL OFFICES: All candidates for Congressional offices may prepare a candidate statement, not to exceed 250 words. The statement must be filed no later than 5:00 p.m. on the 88<sup>th</sup> day prior to the election, or in the event the nomination period has been extended, until 5:00 p.m. on the 83<sup>rd</sup> day prior to the election, whichever is applicable. All statements must be submitted on the form provided by the county elections official of each county in which the candidate wishes to have his/her statement printed. Costs of providing statements to voters shall be paid by the candidates. **Congressional candidates do not need to voluntarily agree to expenditure limits to prepare a candidate statement.**

CANDIDATES' STATEMENTS OF QUALIFICATIONS

FOR LEGISLATIVE OFFICES: Pursuant to Proposition 34 adopted by the voters in November of 2000, all candidates for State elective offices as specified in Government Code section 82053 who have voluntarily agreed to expenditure limits may prepare a candidate statement.

The statement must be filed no later than 5:00 p.m. on the 88<sup>th</sup> day prior to the election, or in the event the nomination period has been extended, until 5:00 p.m. on the 83<sup>rd</sup> day prior to the election, whichever is applicable. All statements must be submitted on the form provided by the county election official of each county in which the candidate wishes to have his/her statement printed. Costs of providing statements to voters shall be paid by the candidates. **Gov't § 85601**

LAST DAY TO FILE PETITIONS IN LIEU OF A FILING FEE (NOT JUDICIAL OFFICES OF THE SUPERIOR COURT):

The last day for filing petitions in lieu of paying the filing fee for candidates, other than those seeking nomination for judicial offices of the Superior Court, is **February 25, 2010, 5:00 p.m.** **§§ 8105, 8106**

\*If this date falls on a Saturday, Sunday, or holiday, use the next business day.

March 12, 2010  
(E-88)

LAST DAY TO REQUEST CONSOLIDATION OF ELECTION WITH PRIMARY ELECTION: Resolution requesting consolidation with Primary Election must be filed no later than this date. **§ 10403**

March 12, 2010  
(E-88)

DEADLINE FOR FILING SUPPLEMENTAL SIGNATURES IN LIEU OF FILING FEE: Last day to file with the Registrar of Voters office supplemental signatures or pay a pro rata portion of the filing fee to cover any deficiency. **§ 8106(b)(3)**

March 12, 2010  
(E-88)

DEADLINE – CIRCULATION OF NOMINATION DOCUMENTS: Last day to circulate and to file nomination documents and a candidate statement with the Registrar of Voters office. **§§ 8020, 13307**

March 13, 2010\*  
through  
March 17, 2010  
(E-87 – 83)

EXTENSION OF NOMINATION PERIOD IF INCUMBENT FAILS TO FILE: If an incumbent state constitutional, congressional, legislative officer or Insurance commissioner eligible for re-election fails to file his/her nomination documents by **March 12, 2010**, there is a 5-day extension allowed for any qualified person other than the incumbent to file for such office. However, **no 5-day extension occurs if the incumbent's failure to file is because he/she has already served the maximum number of terms permitted by the California Constitution for that office.** In addition, no person may file for more than one office at the same election. **§ 8022**

Notwithstanding Section 8020 or any other provision of the law, if nomination documents for an incumbent officer of a county are not delivered by 5:00 p.m. on the 88<sup>th</sup> day before the direct primary election, any person other than the person who was the incumbent on the 88<sup>th</sup> day shall have until 5:00 p.m. on the 83<sup>rd</sup> day before the election to file nomination documents for the elective office. **§ 8024**

If an incumbent Judge of the Superior Court files a Declaration of Intention, but fails to qualify for the nomination by **March 12, 2010**, there is a 5-day extension allowed for all qualified persons other than the incumbent to file for such office, notwithstanding that he/she has not filed a written and signed Declaration of Intention to become a candidate for the office. **§ 8204**

March 13, 2010\*  
through  
March 22, 2010  
(E-87 – 78)

PETITION INDICATING WRITE-IN CAMPAIGN WILL BE CONDUCTED FOR A JUDICIAL OFFICE OF THE SUPERIOR COURT: In any county in which only the

\*If this date falls on a Saturday, Sunday, or holiday, use the next business day.

March 13, 2010\*  
through  
March 26, 2010  
(E-87 -- 74)

March 13, 2010\*  
through  
April 1, 2010

March 17, 2010  
(E-83)

March 13, 2010\*  
through  
March 22, 2010  
(E-87 - 78)

incumbent has filed nomination papers for the office of Superior Court judge, his/her name will not appear on the ballot unless there is filed with the Registrar of Voters office, within 10 days **(March 13 through March 22, 2010, 5:00 p.m.)** after the final date for filing nomination papers for the office, a petition indicating that a write-in campaign will be conducted for the office and signed by 100 registered voters qualified to vote with respect to the office.

**§ 8203**

NOMINATION PERIOD EXENSION WHEN THE ONLY PARTISAN CANDIDATE DIES: If only one candidate has filed nomination papers for a partisan nomination at the Primary Election and that candidate dies between **March 13 and March 17, 2010**, any person qualified under § 8001 may circulate and deliver nomination documents for the contest to the Registrar of Voters office not later than **5:00 p.m. on March 26, 2010.** **§ 8025**

DEATH OF INCUMBENT CANDIDATE OR LONE OPPONENT - NONPARTISAN, NON-JUDICIAL OFFICE; NOMINATION PERIOD REOPENS: Death of an incumbent or lone opponent between these dates causes filing to reopen between the day following the death and E-68. Any person qualified to be a candidate for the office may circulate and return nomination documents by **April 1, 2010, 5:00 p.m.** **§ 8027**

ONLY ONE NOMINEE - COUNTY BOARD OF EDUCATION: If by **5:00 p.m. on March 17, 2010**, only one person has been nominated for each trustee area for County Board of Education, or no one has been nominated for the offices, and a petition signed by 10% of the voters or 50 voters, whichever is the smaller number, in the district or trustee area, if elected by trustee area, requesting that an election be held has not been presented to the Registrar of Voters, appointment will be made in lieu of election. **Ed. §§ 5326, 5328**

PUBLIC REVIEW FOR CANDIDATES' STATEMENTS OF QUALIFICATIONS AND BALLOT DESIGNATIONS: During this period, candidates' statements of qualifications and ballot designations will be available for public examination. These statements and ballot designations will be available at the Registrar of Voters office and will be posted on the Registrar of Voters' website. **§ 13313**

\*If this date falls on a Saturday, Sunday, or holiday, use the next business day.

March 18, 2010  
(11:00 a.m.)  
(E-82)  
(Secretary of State  
& Registrar of  
Voters)

March 18, 2010  
through  
March 26, 2010  
(E-82 -- 74)

March 22, 2010  
(Date fixed by law)  
(E-78)

April 1, 2010  
(E-68)

April 1, 2010  
(E-68)

April 1, 2010  
(E-68)

RANDOMIZED ALPHABET DRAWING: On this day, the Secretary of State shall conduct a drawing of the letters of the alphabet, the result of which shall be known as the randomized alphabet, to determine the order in which candidates appear on the Primary Election ballot. The Registrar of Voters shall also conduct a drawing of the letters of the alphabet to determine the ballot order for candidates for State legislative offices when the district includes more than one county. **§§ 13111(i), 13112**

PUBLIC REVIEW FOR CANDIDATES' STATEMENTS OF QUALIFICATIONS AND BALLOT DESIGNATIONS IF NOMINATION PERIOD HAS BEEN EXTENDED: Public review period for candidate statements and ballot designations filed during the extended filing period. **§ 13313**

FIRST PRE-ELECTION CAMPAIGN DISCLOSURE STATEMENTS DUE: The last day to file campaign disclosure statements for candidates and committees for the period ending **March 17, 2010**. **Gov't §§ 84200.5, 84200.7**

CERTIFIED LIST OF CANDIDATES AND ROTATION LIST: The last day for the Secretary of State to prepare and send to the Registrar of Voters a certified list of candidates arranged according to the randomized alphabet drawn on **March 18, 2010**, showing the name of every person eligible to receive votes within the county at the Statewide Direct Primary Election, their addresses, the offices for which they seek nomination, and, if the office is partisan, the party each person represents. **§§ 8120, 8122, 8123, 8124, 8125, 8149**

UNCONTESTED COUNTY CENTRAL COMMITTEE OFFICE: If on this day, no petition signed by 25 registered voters affiliated with the political party involved is filed with the Registrar of Voters office indicating a write-in campaign where regularly filed candidates are fewer than, or equal to the number to be elected from that assembly or supervisorial district, names will be omitted from the ballot and candidates will be declared elected. **§§ 7228, 7423, 7673, 7772.1**

DEATH OF CANDIDATE: Last day for Registrar of Voters to remove deceased candidate's name from Primary Election ballot. **§ 8809**

April 9, 2010  
(E-60)

April 12, 2010  
through  
May 25, 2010  
(E-57 -- 14)

April 29, 2010  
through  
May 29, 2010  
(E-40 -- 10)

May 10, 2010  
through  
June 1, 2010  
(E-29 -- 7)

May 23, 2010  
through  
June 7, 2010  
(E-16 -- 1)

May 24, 2010  
(E-15)

May 25, 2010  
(E-14)

### SPECIAL ABSENTEE VOTERS' BALLOT

APPLICATIONS: The first day the county elections official may process applications for special absentee voters' ballots. Any applications received by the county elections official prior to this day shall be kept and processed on or after this date. If the applicant is not a resident of the county to which he or she has applied, the elections official receiving the application shall forward it immediately to the proper county. **§§ 300(b), 3100, 3103**

WRITE-IN CANDIDATES: First day Statement of Write-in Candidacy and nomination papers are available for a write-in candidate. Must be filed with the Registrar of Voters office by **May 25, 2010, 5:00 p.m.** **§ 8601**

### STATE AND COUNTY SAMPLE BALLOT PAMPHLET

MAILINGS: Between these dates, State ballot pamphlets will be mailed directly to voters by the Secretary of State (**April 29 through May 18**) and the Registrar of Voters will mail county sample ballot pamphlets (**April 29 through May 29**). **§§ 9094(a), 13300, 13304**

VOTE-BY-MAIL VOTING: Applications for vote-by-mail ballots available during this period from the Registrar of Voters office. **§§ 3001, 3003, 3006**

### LATE CAMPAIGN CONTRIBUTION REPORTING

PERIOD: Contributions received of \$1,000 or more per source must be reported within 24 hours during this period.

**Gov't § 84203**

### LAST DAY TO REGISTER TO VOTE IN PRIMARY

ELECTION: Closing date of registration for this election.

**§§ 2102, 2107**

### DEADLINE FOR WRITE-IN CANDIDATES TO FILE:

Last day for write-in candidate to file Statement of Write-in Candidacy and nomination papers by 5:00 p.m. **§§ 8601, 8604**

May 25, 2010  
through  
June 1, 2010  
(E-14 - 7)

NEW CITIZEN REGISTRATION PERIOD: Any person who becomes a citizen after the 15<sup>th</sup> day prior to the election may register to vote beginning on the 14<sup>th</sup> day prior to an election and ending on the 7<sup>th</sup> day prior to Election Day. This registration must be executed in the county elections office.       **§§ 331, 3500**

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.       **§§ 331, 3500, 3501**

The ballots of new citizens shall be received and canvassed at the same time and under the same procedure as vote-by-mail voter ballots.       **§ 3502**

May 27, 2010  
(E-12)

SECOND PRE-ELECTION CAMPAIGN DISCLOSURE STATEMENTS DUE: The last day to file campaign disclosure statements for candidates and committees covering the period ending **May 22, 2010**.       **Gov't §§ 84200.5, 84200.7**

June 2, 2010  
through  
June 7, 2010  
(E-6 - 1)

SPECIAL ABSENTEE VOTER - RECALLED TO MILITARY SERVICE: A registered special absentee voter recalled to service **after June 1, 2010, but before 5:00 p.m. on June 7, 2010**, may appear before the county elections official and obtain a vote-by-mail ballot which may be voted in, or outside, the county elections official's office on or before the close of the polls and returned as are other voted vote-by-mail ballots.       **§ 3110**

June 2, 2010  
through  
June 8, 2010  
(E-6 -- 0)

VOTE-BY MAIL VOTING - LATE CONDITIONS: During this period, vote-by-mail ballots are available when conditions prevent voting at polling place. Written application signed under penalty of perjury is required unless the vote-by-mail voter's ballot is voted in the office of the elections official.       **§ 3021**

June 8, 2010  
(E-0)

ELECTION DAY: Polls will be open from 7:00 a.m. to 8:00 p.m. Ballots will be centrally counted at the Registrar of Voters office.       **§§ 1000, 14212, 15260**

June 8, 2010  
(E-0)

VOTE-BY-MAIL VOTER BALLOTS RETURNED: Deadline for the Registrar of Voters to receive vote-by-mail ballots by mail or in person is **June 8, 2010, 8:00 p.m.** A voter may deliver his/her vote-by-mail ballot in person to any polling place in the county by the close of the polls on Election Day.       **§§ 3017, 3020**

June 8, 2010  
(E-0)

June 8, 2010  
(E-0)

June 9, 2010  
(E+1)

July 6, 2010  
(E+28)

July 6, 2010  
(E+28)

SEMI-OFFICIAL CANVASS OF ELECTION RETURNS: Beginning at 8:00 p.m. and continuously until completed, the Registrar of Voters shall conduct the semi-official canvass of votes and report totals to the Secretary of State. **§§ 15150, 15151**

SPECIAL ABSENTEE VOTERS: Any registered special absentee voter who has returned to their county of registration on or before this day, and to whom a vote-by-mail ballot has been mailed but not voted, may apply to vote in the county elections official's office or in a polling place. **§§ 300(b), 3108**

An unregistered special absentee voter who was released from service after the close of registration and who has returned to his or her county of residence may apply in person to register with the county elections official and vote in the election. Documentary proof of release from service is required. On or before the day of the election, the county elections official shall deliver to the precinct board a list of special absentee voters registered under Elections Code section 3107. **§ 3107**

A special absentee voter who returns to the county after June 1, 2010 may appear before the county elections official and apply for registration, a vote-by-mail ballot, or both. The county elections official shall register the voter, if not registered, and shall deliver a vote-by-mail ballot which may be voted in, or outside, the county elections official's office on or before the close of the polls on the day of the election and returned as are other voted vote-by-mail ballots. **§ 3109**

COMMENCE OFFICIAL CANVASS OF ELECTION RETURNS: The Registrar of Voters will begin the official canvass of the precinct returns. **§ 15301**

COMPLETE CANVASS OF OFFICIAL RETURNS AND CERTIFY RESULTS BY THIS DATE: Following submission of the certified statement of results by the Registrar of Voters by this date, the Board of Supervisors declares the results of the election. **§§ 15372, 15400**

CERTIFICATE OF ELECTION: Approximately on this date, the elections official shall make and deliver to each person elected or nominated, a certificate of election or nomination, signed by the elections official. **§ 15401**

July 31, 2008  
(Date fixed by law)  
(E+53)

SEMI-ANNUAL CAMPAIGN DISCLOSURE

STATEMENTS DUE: Last day to file semi-annual campaign disclosure statements for all candidates and committees for the period through **June 30, 2010**. **Gov't §§ 84200, 84218**

**NOTE:** Candidates for federal office should contact the Federal Elections Commission at the address or toll-free telephone number below to obtain information regarding campaign disclosure filing requirements and the forms on which to file.

Federal Elections Commission  
999 E Street N.W.  
Washington, D.C. 20463  
Phone 800-424-9530  
Fax 202-501-3413  
[info@fec.gov](mailto:info@fec.gov)



**POLITICAL SUBDIVISIONS IN ORANGE COUNTY**

40th Congressional District  
42nd Congressional District (Portions of Orange, Los Angeles and San Bernardino Counties)  
44th Congressional District (Portions of Orange and Riverside Counties)  
46th Congressional District (Portions of Orange and Los Angeles Counties)  
47th Congressional District  
48th Congressional District

\*\*\*\*\*

29th Senatorial District (Portions of Orange, Los Angeles and San Bernardino Counties)  
33rd Senatorial District  
34th Senatorial District  
35th Senatorial District  
38th Senatorial District (Portions of Orange and San Diego Counties)

\*\*\*\*\*

56th Assembly District (Portions of Orange and Los Angeles Counties)  
60th Assembly District (Portions of Orange, Los Angeles and San Bernardino Counties)  
67th Assembly District  
68th Assembly District  
69th Assembly District  
70th Assembly District  
71st Assembly District (Portions of Orange and Riverside Counties)  
72nd Assembly District  
73rd Assembly District (Portions of Orange and San Diego Counties)

\*\*\*\*\*

3rd State Board of Equalization District (Orange, Imperial, Riverside, San Diego, and portions of Los Angeles and San Bernardino Counties)

\*\*\*\*\*

5 Supervisorial Districts  
5 County Board of Education Trustee Areas  
115 Superior Courts

**OFFICES FOR WHICH CANDIDATES ARE TO BE  
NOMINATED OR ELECTED AT THE PRIMARY ELECTION**

**PARTISAN**

**OFFICES TO BE FILLED**

United States Senator

**INCUMBENT**

Barbara Boxer (D)

**CONGRESSIONAL**

Representative in Congress

40th District

42nd District

44th District

46th District

47th District

48th District

Ed Royce (R)

Gary Miller (R)

Ken Calvert (R)

Dana Rohrabacher (R)

Loretta Sanchez (D)

John Campbell (R)

**STATE CONSTITUTIONAL OFFICERS**

Governor

Lieutenant Governor

Secretary of State

Controller

Treasurer

Attorney General

Insurance Commissioner

Member, State Board of Equalization, 3rd District

**INCUMBENT**

Arnold Schwarzenegger (R)\*

John Garamendi (D)

Debra Bowen (D)

John Chiang (D)

Bill Lockyer (D)

Jerry Brown (D)

Steve Poisner (R)

Michelle Steel (R)

**STATE SENATE**

State Senator

34th District

38th District

**INCUMBENT**

Lou Correa (D)

Mark Wyland (R)

**STATE ASSEMBLY**

Member of the Assembly

56th District

60th District

67th District

68th District

69th District

70th District

71st District

72nd District

73rd District

**INCUMBENT**

Tony Mendoza (D)

Curt Hagman (R)

Jim Silva (R)

Van Tran (R)\*

Jose Solorio (D)

Chuck DeVore (R)\*

Jeff Miller (R)

Vacant

Diane L. Harkey (R)

\*Out of office in 2010 due to term limits.

**NONPARTISAN**

**OFFICES TO BE FILLED**

**INCUMBENT**

**SCHOOL-STATE**

Superintendent of Public Instruction

Jack T. O'Connell

**SCHOOL- COUNTY**

County Superintendent of Schools

William M. Habermehl

Member, County Board of Education, Trustee Area 2

Alexandria A. Coronado

Member, County Board of Education, Trustee Area 5

Elizabeth D. Parker

**COUNTY SUPERVISORS**

Supervisor, 2nd District

John M.W. Moorlach

Supervisor, 4th District

Chris Norby\*

Supervisor, 5th District

Pat Bates

**COUNTY OFFICES**

Assessor

Webster J. Guillory

Auditor

David Sundstrom

County Clerk-Recorder

Tom Daly

District Attorney

Tony Rackauckas

Public Administrator

John S. Williams

Sheriff-Coroner

Sandra Hutchens

(Appointed)

Treasurer-Tax Collector

Chriss W. Street

**\*Out of office in 2010 due to term limits.**

**JUDICIAL OFFICES FOR WHICH CANDIDATES ARE TO BE  
NOMINATED OR ELECTED AT THE PRIMARY ELECTION**

**OFFICE**

**INCUMBENT**

**JUDGE OF THE SUPERIOR COURT**

Office No. 1	Frederick P. Aguirre
Office No. 2	Margaret R. Anderson
Office No. 3	Gail A. Andler
Office No. 4	Ronald L. Bauer
Office No. 5	David L. Belz
Office No. 6	Francisco P. Briseno
Office No. 7	Jacki C. Brown
Office No. 8	Marjorie Laird Carter
Office No. 9	David R. Chaffee
Office No. 10	Michael J. Cassidy
Office No. 11	Thierry P. Colaw
Office No. 12	Corey S. Cramin
Office No. 13	Donna L. Crandall
Office No. 14	James J. Di Cesare
Office No. 15	Kim G. Dunning
Office No. 16	Frank F. Fasel
Office No. 17	John L. Flynn, III
Office No. 18	Donald F. Gaffney
Office No. 19	Robert Charles Gannon, Jr.
Office No. 20	Thomas M. Goethals
Office No. 21	Craig Griffin
Office No. 22	Maria D. Hernandez
Office No. 23	Kim R. Hubbard
Office No. 24	Derek W. Hunt
Office No. 25	Carolyn Kirkwood
Office No. 26	Gregory W. Jones
Office No. 27	Ronald P. Kreber
Office No. 28	Gregory H. Lewis

**JUDICIAL OFFICES FOR WHICH CANDIDATES ARE TO BE  
NOMINATED OR ELECTED AT THE PRIMARY ELECTION**

**OFFICE**

**INCUMBENT**

**JUDGE OF THE SUPERIOR COURT**

Office No. 29	Cheryl L. Leininger
Office No. 30	Wendy S. Lindley
Office No. 31	Joy W. Markman
Office No. 32	Franz E. Miller
Office No. 33	Jamoa A. Moberly
Office No. 34	William M. Monroe
Office No. 35	Robert J. Moss
Office No. 36	Kirk H. Nakamura
Office No. 37	Michael J. Naughton
Office No. 38	Steven L. Perk
Office No. 39	Peter J. Polos
Office No. 40	Gregg L. Prickett
Office No. 41	Roger B. Robbins
Office No. 42	Karen L. Robinson
Office No. 43	Craig E. Robison
Office No. 44	Claudia Silbar
Office No. 45	Richard W. Stanford, Jr.
Office No. 46	Elaine Streger
Office No. 47	Josephine S. Tucker
Office No. 48	David C. Velasquez
Office No. 49	James L. Waltz
Office No. 50	Randell L. Wilkinson

**COUNTY CENTRAL COMMITTEE OFFICES FOR WHICH CANDIDATES  
ARE TO BE ELECTED AT THE PRIMARY ELECTION**

The number of county central committee members to be elected from each district for each qualified political party is as follows:

**DISCLAIMER:** The Natural Law Party has been disqualified from participation in future elections due to not meeting the requirements of elections code sections 5100(a)(b).

	<u>REPUBLICAN</u>	<u>DEMOCRATIC</u>	<u>AMERICAN INDEPENDENT</u>	<u>GREEN</u>
56 <sup>th</sup> Assembly District	6	6	Information	Information
60 <sup>th</sup> Assembly District	6	6	not available	not
67 <sup>th</sup> Assembly District	6	6	yet	available
68 <sup>th</sup> Assembly District	6	6		yet
69 <sup>th</sup> Assembly District	6	6		
70 <sup>th</sup> Assembly District	6	6		
71 <sup>st</sup> Assembly District	6	6		
72 <sup>nd</sup> Assembly District	6	6		
73 <sup>rd</sup> Assembly District	<u>6</u>	<u>6</u>		
TOTAL	54	54		

	<u>LIBERTARIAN</u>	<u>PEACE &amp; FREEDOM</u>
1 <sup>st</sup> Supervisorial District	Information	Information
2 <sup>nd</sup> Supervisorial District	not available	not available
3 <sup>rd</sup> Supervisorial District	yet	yet
4 <sup>th</sup> Supervisorial District		
5 <sup>th</sup> Supervisorial District		
TOTAL		

**§§ 7202, 7401, 7651, 7752, 7754**

Each candidate for central committee must be registered continuously for not less than three months immediately prior to the time of the presentation of the Declaration of Candidacy, or for as long as he/she has been eligible to register to vote in the state, and must not have been registered with any other qualified political party for 12 months immediately prior to filing the Declaration of Candidacy. **§ 8001**

Each candidate must obtain at least 20 but not more than 40 signatures of registered voters in his/her district and with his/her party. (See the EXCEPTION below for Libertarian and Peace and Freedom Party candidates.) **§ 8062**

**EXCEPTION:** The number of signatures required for a candidate for Libertarian or Peace & Freedom central committee shall be the lesser of: (a) Not less than 20 nor more than 30, or (b) Not less than 2 percent of the number of voters registered as affiliated with the Libertarian or Peace and Freedom Party in the central committee election district. Up to three candidates for member of the central committee in a single central committee election district may have their names listed on a single signer's form. The signatures thereon shall be counted toward the signatures required for each candidate whose name is listed on the signers form. **§§ 7776, 7777**

**FILING FEES**  
**THE FILING FEE IS NON-REFUNDABLE**

<b>FEDERAL OFFICES</b>	<b>AMOUNT</b>	<b>% OF ANNUAL SALARY</b>
United States Senator	\$3,480.00	2%
Representative in Congress	\$1,740.00	1%
<b>STATE OFFICES</b>		
Governor	\$3,479.74	2%
Lieutenant Governor	\$2,609.80	2%
Secretary of State	\$2,609.80	2%
Controller	\$2,783.79	2%
Insurance Commissioner	\$2,783.79	2%
Treasurer	\$2,783.79	2%
Attorney General	\$3,022.54	2%
Member, State Board of Equalization District	\$1,304.90	1%
State Senator	\$952.91	1%
Member of the Assembly	\$952.91	1%
Superintendent of Public Instruction	\$3,022.54	2%
<b>COUNTY OFFICES</b>		
Assessor	\$1,730.98	1%
Auditor	\$1,730.98	1%
County Clerk-Recorder	\$1,395.26	1%
District Attorney	\$2,079.79	1%
Public Administrator	\$1,395.26	1%
Sheriff-Coroner	\$2,079.79	1%
Superintendent of Schools	\$2,608.34	1%
Treasurer-Tax Collector	\$1,730.98	1%
Board of Supervisors	\$1,430.31	1%
Judge of the Superior Court	\$1,787.89	1%
County Central Committee	No Fee	
County Board of Education	No Fee	

**UNITED STATES SENATOR, REPRESENTATIVE IN CONGRESS, STATE SENATOR, MEMBER OF THE ASSEMBLY, STATE CONSTITUTIONAL OFFICER OR INSURANCE COMMISSIONER** - The filing fee must be paid at the time nomination papers are issued. Check must be made payable to the SECRETARY OF STATE.

**COUNTY OFFICES AND JUDGE OF THE SUPERIOR COURT** - The filing fee must be paid at the time nomination papers are issued. Check must be made payable to the REGISTRAR OF VOTERS.

**The filing fee can be paid by cash, personal or certified check, credit card or postal money order. If a candidate pays the filing fee in cash and that filing fee is payable to the Secretary of State, an additional charge for obtaining a certified check will be made.**

**NOTE:** Any of the above fees can be paid in whole or in part by signatures in lieu of filing fee.

**§§ 8103, §8104, §8105, 8106**

**NUMBER OF NOMINATION SIGNATURES REQUIRED**

<u>OFFICE</u>	<u>NUMBER OF SIGNATURES REQUIRED</u>
United States Senator, Governor, Lieutenant Governor, Secretary of State, Controller, Insurance Commissioner, Treasurer, Attorney General, Superintendent of Public Instruction (§ 8062)	) ) ) ) 65-100
Member, State Board of Equalization, 3 <sup>rd</sup> District Representative in Congress State Senate, State Assembly (§ 8062)	) ) ) 40-60
Judge of the Superior Court County Board of Education County Board of Supervisors County Offices (§ 8062)	) ) ) ) 20-40
<b>COUNTY CENTRAL COMMITTEES</b> Republican, Democratic, American Independent Green (§ 8062)	) ) 20-40
<b>Libertarian</b> 1st Supervisorial District 2nd Supervisorial District 3rd Supervisorial District 4th Supervisorial District 5th Supervisorial District	<b>INFORMATION NOT YET AVAILABLE</b>
<b>Peace and Freedom</b> 1st Supervisorial District 2nd Supervisorial District 3rd Supervisorial District 4th Supervisorial District 5th Supervisorial District	<b>INFORMATION NOT YET AVAILABLE</b>

In all cases, it is suggested that more than the minimum number of signatures be obtained (but not to exceed the maximum) so that in case any are marked "Not Sufficient", there will be enough "Sufficient" signatures remaining to validate the petition. Signatures to a candidate's nomination papers may not be withdrawn.

When any political party has less than 50 registered voters in the state or in the county or district in which the election is to be held, the number of signers required is one-tenth the number of registered voters of the party. **§ 8062**

When there are less than 150 registered voters in the county or district in which an election is to be held, not less than 10 nor more than 20 signatures are required on the nomination paper. **§ 8062**

The number of signatures required for candidates for Libertarian and Peace and Freedom party central committees shall be the lesser of: (a) Not less than 20 nor more than 30; or (b) Not less than 2 percent of the number of voters registered as affiliated with the party in the central committee election district. **§ 7776**



**NUMBER OF IN LIEU OF FILING FEE PETITION SIGNATURES REQUIRED**

<u>OFFICE</u>	<u># OF SIGS REQUIRED IN LIEU OF FILING FEE</u>	<u>VALUE PER 100 SIGS</u>
---------------	---	-------------------------------

**FEDERAL OFFICES**

United States Senator	10,000	34.80
Representative in Congress	3,000	58.00

**STATE OFFICES**

Governor	10,000	34.80
Lieutenant Governor	10,000	26.10
Secretary of State	10,000	26.10
Controller	10,000	27.84
Insurance Commissioner	10,000	27.84
Treasurer	10,000	27.84
Attorney General	10,000	30.23
Member, State Board of Equalization 3 <sup>rd</sup> District	5,220	25.00
State Senator	3,000	31.76
Member of the Assembly	1,500	63.53
Superintendent of Public Instruction	10,000	30.23

**COUNTY OFFICES**

Assessor	6,924	25.00
Auditor	6,924	25.00
County Clerk-Recorder	5,581	25.00
District Attorney	8,319	25.00
Public Administrator	5,581	25.00
Sheriff-Coroner	8,319	25.00
Superintendent of Schools	10,433	25.00
Treasurer-Tax Collector	6,924	25.00
Board of Supervisors	5,721	25.00
Judge of the Superior Court	7,152	25.00

**§ 8106**

**For partisan federal and state offices, the number of in lieu signatures required and the monetary value of each in lieu signature listed above apply only to Democratic and Republican party candidates.**

**EXCEPTION:** If the number of registered voters of a qualified party eligible to vote in the last statewide election constituted less than 5% of all registered voters eligible to vote at that election, a candidate for that political party may submit a petition containing signatures of 10% of the registered voters of that party in the district in which he/she seeks nomination, or 150 signatures, whichever is less. (See pages 22-25) **§ 8106(a)(6)**

**THE FILING FEE OR PORTION THEREOF IS NON-REFUNDABLE!**



**Signatures In Lieu Conversion Table - 2010**  
**Number of Signatures Required as Full Substitution of Filing Fees**  
**(Based on the May 4, 2009, Report of Registration per § 8106 (a)(6))**

Congressional				Green Senate				Assembly (con't)			
District	Reg.	Sigs	Value	District	Reg.	Sigs	Value	District	Reg.	Sigs	Value
District 1	7,867	150	\$ 11.60	District 2	9,744	150	\$ 6.35273	District 32	596	60	\$ 15.88183
District 2	2,762	150	\$ 11.60	District 4	4,270	150	\$ 6.35273	District 33	1,724	150	\$ 6.35273
District 3	2,287	150	\$ 11.60	District 6	3,296	150	\$ 6.35273	District 34	628	63	\$ 15.12556
District 4	3,700	150	\$ 11.60	District 8	4,887	150	\$ 6.35273	District 35	2,221	150	\$ 6.35273
District 5	2,652	150	\$ 11.60	District 10	1,991	150	\$ 6.35273	District 36	625	63	\$ 15.12556
District 6	6,459	150	\$ 11.60	District 12	1,141	115	\$ 8.28617	District 37	1,396	140	\$ 6.80650
District 7	2,005	150	\$ 11.60	District 14	2,085	150	\$ 6.35273	District 38	1,137	114	\$ 8.35886
District 8	7,914	150	\$ 11.60	District 16	681	69	\$ 13.81029	District 39	610	61	\$ 15.62148
District 9	7,512	150	\$ 11.60	District 18	1,332	134	\$ 7.11127	District 40	969	97	\$ 9.82381
District 10	2,127	150	\$ 11.60	District 20	1,561	150	\$ 6.35273	District 41	1,791	150	\$ 6.35273
District 11	1,191	120	\$ 14.50	District 22	1,568	150	\$ 6.35273	District 42	1,707	150	\$ 6.35273
District 12	3,084	150	\$ 11.60	District 24	1,178	118	\$ 8.07551	District 43	1,365	137	\$ 6.95555
District 13	1,930	150	\$ 11.60	District 26	2,252	150	\$ 6.35273	District 44	1,488	149	\$ 6.39537
District 14	3,271	150	\$ 11.60	District 28	2,806	150	\$ 6.35273	District 45	1,357	136	\$ 7.00669
District 15	1,660	150	\$ 11.60	District 30	1,086	109	\$ 8.74229	District 46	497	50	\$ 19.05820
District 16	1,494	150	\$ 11.60	District 32	968	97	\$ 9.82381	District 47	1,342	135	\$ 7.05859
District 17	3,421	150	\$ 11.60	District 34	1,125	113	\$ 8.43283	District 48	530	53	\$ 17.97943
District 18	787	79	\$ 22.02532	District 36	1,786	150	\$ 6.35273	District 49	589	59	\$ 16.15102
District 19	1,621	150	\$ 11.60	District 38	2,278	150	\$ 6.35273	District 50	448	45	\$ 21.17578
District 20	519	52	\$ 33.46154	District 40	1,153	116	\$ 8.21474	District 51	604	61	\$ 15.62148
District 21	994	100	\$ 17.40					District 52	361	37	\$ 25.75432
District 22	1,285	129	\$ 13.48837					District 53	1,840	150	\$ 6.35273
District 23	2,966	150	\$ 11.60	District 1	7,282	150	\$ 6.35273	District 54	1,709	150	\$ 6.35273
District 24	2,090	150	\$ 11.60	District 2	1,127	113	\$ 8.43283	District 55	643	65	\$ 14.66015
District 25	1,207	121	\$ 14.38017	District 3	3,147	150	\$ 6.35273	District 56	571	58	\$ 16.42948
District 26	1,658	150	\$ 11.60	District 4	2,010	150	\$ 6.35273	District 57	576	58	\$ 16.42948
District 27	1,690	150	\$ 11.60	District 5	1,594	150	\$ 6.35273	District 58	621	63	\$ 15.12556
District 28	1,441	145	\$ 12.00	District 6	3,920	150	\$ 6.35273	District 59	1,168	117	\$ 8.14453
District 29	1,743	150	\$ 11.60	District 7	2,465	150	\$ 6.35273	District 60	764	77	\$ 12.37545
District 30	2,757	150	\$ 11.60	District 8	1,576	150	\$ 6.35273	District 61	528	53	\$ 17.97943
District 31	1,676	150	\$ 11.60	District 9	1,873	150	\$ 6.35273	District 62	417	42	\$ 22.68833
District 32	888	89	\$ 19.55056	District 10	1,187	119	\$ 8.00765	District 63	890	89	\$ 10.70685
District 33	1,893	150	\$ 11.60	District 11	1,222	123	\$ 7.74724	District 64	932	94	\$ 10.13734
District 34	780	78	\$ 22.30769	District 12	3,040	150	\$ 6.35273	District 65	836	84	\$ 11.34417
District 35	820	82	\$ 21.21951	District 13	6,299	150	\$ 6.35273	District 66	762	77	\$ 12.37545
District 36	2,286	150	\$ 11.60	District 14	5,133	150	\$ 6.35273	District 67	1,390	139	\$ 6.85547
District 37	1,411	142	\$ 12.25352	District 15	1,222	123	\$ 7.74724	District 68	1,041	105	\$ 9.07533
District 38	802	81	\$ 21.48148	District 16	3,850	150	\$ 6.35273	District 69	503	51	\$ 18.68451
District 39	872	88	\$ 19.77273	District 17	516	52	\$ 18.32519	District 70	1,397	140	\$ 6.80650
District 40	1,524	150	\$ 11.60	District 18	1,252	126	\$ 7.56278	District 71	924	93	\$ 10.24634
District 41	1,339	134	\$ 12.98507	District 19	1,776	150	\$ 6.35273	District 72	1,080	103	\$ 9.25155
District 42	1,256	126	\$ 13.80952	District 20	959	96	\$ 9.92615	District 73	1,151	116	\$ 8.21474
District 43	686	69	\$ 25.21739	District 21	1,661	150	\$ 6.35273	District 74	1,316	132	\$ 7.21902
District 44	1,399	140	\$ 12.42857	District 22	1,232	124	\$ 7.68476	District 75	990	99	\$ 9.62535
District 45	944	95	\$ 18.31579	District 23	799	80	\$ 11.91138	District 76	2,135	150	\$ 6.35273
District 46	2,385	150	\$ 11.60	District 24	1,361	137	\$ 6.95555	District 77	890	89	\$ 10.70685
District 47	783	79	\$ 22.02532	District 25	1,273	128	\$ 7.44461	District 78	938	94	\$ 10.13734
District 48	2,096	150	\$ 11.60	District 26	589	59	\$ 16.15102	District 79	679	68	\$ 14.01338
District 49	1,205	121	\$ 14.38017	District 27	4,007	150	\$ 6.35273	District 80	412	42	\$ 22.68833
District 50	1,894	150	\$ 11.60	District 28	692	70	\$ 13.61300				
District 51	868	87	\$ 20.00	District 29	984	99	\$ 9.62535				
District 52	1,416	142	\$ 12.25352	District 30	231	24	\$ 39.70458				
District 53	2,605	150	\$ 11.60	District 31	605	61	\$ 15.62148				



**Signatures In Lieu Conversion Table - 2010**  
**Number of Signatures Required as Full Substitution of Filing Fees**  
**(Based on the May 4, 2009, Report of Registration per § 8106 (a)(6))**

Congressional				Peace and Freedom				Assembly (con't)			
District	Reg.	Slgs	Value	District	Reg.	Slgs	Value	District	Reg.	Slgs	Value
District 1	1,278	128	\$ 13.59375	District 2	1,371	138	\$ 6.90514	District 32	415	42	\$22.68833
District 2	1,040	104	\$ 16.73077	District 4	1,323	133	\$ 7.16474	District 33	475	48	\$19.85229
District 3	1,206	121	\$ 14.38017	District 6	2,680	150	\$ 6.35273	District 34	405	41	\$23.24171
District 4	815	82	\$ 21.21951	District 8	1,121	113	\$ 8.43283	District 35	508	51	\$18.68451
District 5	2,249	150	\$ 11.60	District 10	1,040	104	\$ 9.16260	District 36	627	63	\$15.12556
District 6	737	74	\$ 23.51351	District 12	1,093	110	\$ 8.66282	District 37	430	43	\$22.16070
District 7	850	85	\$ 20.47059	District 14	920	92	\$ 10.35772	District 38	605	61	\$15.62148
District 8	1,318	132	\$ 13.18182	District 16	789	79	\$ 12.06215	District 39	879	88	\$10.82852
District 9	1,599	150	\$ 11.60	District 18	843	85	\$ 11.21071	District 40	841	85	\$11.21071
District 10	624	63	\$ 27.61905	District 20	1,678	150	\$ 6.35273	District 41	640	64	\$14.88922
District 11	557	56	\$ 31.07143	District 22	2,244	150	\$ 6.35273	District 42	611	62	\$15.36952
District 12	705	71	\$ 24.50704	District 24	2,433	150	\$ 6.35273	District 43	752	76	\$12.53829
District 13	849	85	\$ 20.47059	District 26	2,010	150	\$ 6.35273	District 44	847	85	\$11.21071
District 14	552	56	\$ 31.07143	District 28	1,745	150	\$ 6.35273	District 45	1,196	120	\$ 7.94092
District 15	705	71	\$ 24.50704	District 30	2,607	150	\$ 6.35273	District 46	1,271	128	\$ 7.44461
District 16	856	86	\$ 20.23256	District 32	1,522	150	\$ 6.35273	District 47	918	92	\$10.35772
District 17	760	76	\$ 22.89474	District 34	1,399	140	\$ 6.80650	District 48	1,038	104	\$ 9.16260
District 18	906	91	\$ 19.12088	District 36	821	83	\$ 11.48084	District 49	1,120	112	\$ 8.50813
District 19	761	77	\$ 22.59740	District 38	833	84	\$ 11.34417	District 50	1,278	128	\$ 7.44461
District 20	608	61	\$ 28.52459	District 40	1,196	120	\$ 7.94092	District 51	953	96	\$ 9.92615
District 21	626	63	\$ 27.61905					District 52	1,331	134	\$ 7.11127
District 22	670	67	\$ 25.97015					District 53	804	81	\$11.76432
District 23	775	78	\$ 22.30769					District 54	887	89	\$10.70685
District 24	603	61	\$ 28.52459					District 55	1,068	107	\$ 8.90570
District 25	857	86	\$ 20.23256					District 56	1,130	113	\$ 8.43283
District 26	1,032	104	\$ 16.73077					District 57	1,038	104	\$ 9.16260
District 27	1,266	127	\$ 13.70079					District 58	1,363	137	\$ 6.95555
District 28	1,154	116	\$ 15.00000					District 59	683	69	\$13.81029
District 29	1,301	131	\$ 13.28244					District 60	666	67	\$14.22254
District 30	986	99	\$ 17.57576					District 61	741	75	\$12.70547
District 31	1,566	150	\$ 11.60					District 62	729	73	\$13.05356
District 32	1,803	150	\$ 11.60					District 63	599	60	\$15.88183
District 33	1,490	149	\$ 11.67785					District 64	690	69	\$13.81029
District 34	1,954	150	\$ 11.60					District 65	572	58	\$16.42948
District 35	1,582	150	\$ 11.60					District 66	553	56	\$17.01625
District 36	1,326	133	\$ 13.08271					District 67	735	74	\$12.87716
District 37	1,825	150	\$ 11.60					District 68	823	83	\$11.48084
District 38	2,011	150	\$ 11.60					District 69	551	56	\$17.01625
District 39	1,727	150	\$ 11.60					District 70	528	53	\$17.97943
District 40	1,092	110	\$ 15.81818					District 71	517	52	\$18.32519
District 41	829	83	\$ 20.96386					District 72	681	69	\$13.81029
District 42	844	85	\$ 20.47059					District 73	469	47	\$20.27468
District 43	1,017	102	\$ 17.05882					District 74	413	42	\$22.68833
District 44	1,049	105	\$ 16.57143					District 75	332	34	\$28.02676
District 45	711	72	\$ 24.16667					District 76	534	54	\$17.64648
District 46	1,088	109	\$ 15.96330					District 77	376	38	\$25.07658
District 47	969	97	\$ 17.93814					District 78	528	53	\$17.97943
District 48	799	80	\$ 21.75000					District 79	680	68	\$14.01338
District 49	685	69	\$ 25.21739					District 80	459	46	\$20.71543
District 50	614	62	\$ 28.06452								
District 51	955	96	\$ 18.12500								
District 52	562	57	\$ 30.52632								
District 53	847	85	\$ 20.47059								

**IN LIEU FILING FEE PETITION INFORMATION**  
**(§8106-entire page)**

Forms for obtaining signatures in lieu of filing fee can be obtained from the Registrar of Voters beginning **January 4, 2010**.

The Registrar of Voters will issue forms for obtaining the minimum number of signatures in lieu of paying a filing fee. If the candidate requires an additional quantity of forms, the candidate may duplicate a blank form to obtain the desired quantity.

A candidate may submit the appropriate number of signatures to cover all or any portion of the filing fee.

A circulator of In Lieu of Filing Fee Petitions must be a registered voter of the district or political subdivision in which the candidate is to be vote on, but is not required to be affiliated with the same political party. The circulator shall serve within the county in which he or she resides. **§ 8106(b)(4)**

Any registered voter may sign an In Lieu Filing Fee Petition for any candidate for whom he/she is eligible to vote. If the candidate is seeking the nomination of a qualified political party, a signer must be affiliated with the same political party as the candidate. (EXCEPTION: A political party may adopt a party rule that authorizes a person who has declined to state a party affiliation to vote the ballot of that political party at the next ensuing partisan primary election. The political party chair shall provide written notice of the adoption of that rule to the Secretary of State not later than the 135<sup>th</sup> day prior to the partisan primary election at which the vote is authorized. After the Secretary of State has received the notification and thereafter notified the county elections official, non-affiliated voters may sign In Lieu of Filing Fee Petitions for those candidates who are affiliated with that political party allowing the "cross-over" voting. **§ 13102**

No voter shall sign more petitions for candidates than there are offices to be filled. If a voter signs more candidates' petitions than there are offices to be filled, the voter's signature will be valid only on those petitions which, taken in the order they were filed, do not exceed the number of offices to be filled.

All valid signatures obtained on an In Lieu of Filing Fee Petition may be counted toward the number of voters required to sign a nomination paper. If an In Lieu Filing Fee Petition contains the number of valid signatures required on a nomination paper, the candidate is not required to file nomination papers, but may request the Registrar of Voters to accept the In Lieu of Filing Fee Petition signatures instead of filing nomination papers. **The candidate must still file a Declaration of Candidacy.** If an In Lieu of Filing Fee Petition does not contain the number of valid signatures required on a nomination paper, the candidate must file, within the time period allowed for filing nomination papers, a nomination paper in order to obtain the requisite number of valid signatures. A candidate who submits a nomination paper to supplement the number of valid signatures filed on an In Lieu of Filing Fee Petition need only submit enough signatures on the nomination paper when combined with the signatures appearing on the In Lieu of Filing Fee Petition equals the number of signatures required for nomination. It is suggested that more than the minimum number of signatures be obtained (**but not to exceed the maximum**) so that in case any are marked "Not Sufficient", there will be enough "Sufficient" signatures remaining to validate the nomination paper.

A voter may sign both a candidate's nomination paper and his/her In Lieu of Filing Fee Petition. However, if signatures appearing on such documents are counted towards both the nomination paper and on the In Lieu of Filing Fee Petition signature requirements, a person may only sign one of the documents.

**If the petition is circulated for an office in more than one county, the candidate shall submit the signatures to the Registrar of Voters in the county in which the petition was circulated.** § 8106

**In Lieu of Filing Fee Petitions do not need to be filed at the same time.** They may be filed throughout the In Lieu of Filing Fee Petitions filing period: **January 4, 2010 through February 25, 2010, 5:00 p.m. for all candidates except for those running for Superior Court Judicial offices who shall file In Lieu of Filing Fee Petitions by February 10, 2010, 5:00 p.m.** Upon receipt of the minimum number of In Lieu of Filing Fee Petition signatures required, or a sufficient combination of such signatures and pro rata filing fee, the Registrar of Voters shall issue nomination papers provisionally. Within 10 days after receipt of a petition, the Registrar of Voters shall notify the candidate of any deficiency. The candidate shall then, prior to the close of the nomination period, either submit a supplemental petition, or pay a pro rata portion of the filing fee, to cover the deficiency. § 8106

**EXCEPTION:** The filing fee for the office of Superior Court Judicial Officer shall be paid upon the filing of the candidate's Declaration of Intention to become a candidate. All filing fees are nonrefundable. Therefore, In Lieu of Filing Fee Petitions must be filed at the time a candidate for Superior Court Judicial Officer files a Declaration of Intention, which is **between January 4, 2010 through February 10, 2010, 500 p.m.**

**EXCEPTION:** If an incumbent Superior Court Judicial Officer fails to file a Declaration of Intention by **February 10, 2010, 5:00 p.m.**, the filing period for In Lieu of Filing Fee Petitions for that particular office is extended to **February 15, 2010\*, 5:00 p.m.** for persons other than the incumbent.

**ANY VOTER SIGNING AN IN LIEU OF FILING FEE PETITION MUST BE ELIGIBLE TO VOTE FOR THAT CANDIDATE.** § 8106

**NOTE: THE CANDIDATE IS STILL REQUIRED TO FILE A DECLARATION OF CANDIDACY DURING THE NOMINATION PERIOD (FEBRUARY 15, 2010\* THROUGH MARCH 12, 2010, 5:00 P.M.) EVEN THOUGH HE/SHE COUNTS THE SIGNATURES APPEARING ON THE IN LIEU OF FILING FEE PETITION TOWARD THE NUMBER OF SIGNATURES REQUIRED FOR THE CANDIDATE'S NOMINATION PAPER.**

**\*This date falls on a holiday; use the next business day.**

## GENERAL QUALIFICATIONS TO RUN FOR AND HOLD PUBLIC OFFICE

### A Candidate must be:

1. 18 years old by Election Day;
2. a citizen of the state;
3. a registered voter at the time nomination papers are issued, and, unless otherwise specifically provided, qualified to vote for the office;
4. eligible to take the oath of office and be able to be bonded in the amounts provided for by statute.

A candidate may not have been convicted of designated crimes specified in the Constitution and laws of the State.

A person is not eligible to be elected or appointed to a county or district office unless he/she is a registered voter of the county or district in which the duties of the office are to be exercised at the time that nomination papers are issued to the person or at the time of the person's appointment. **Gov't Code § 24001**

Unless otherwise specifically provided, no person is eligible to be elected or appointed to an elective office unless that person is a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person or at the time of the person's appointment. **§ 201**

Notwithstanding any other provision of law, a public officer who is a minor shall have the rights and liabilities of an adult, both civil and criminal, with regard to his/her official duties, and a candidate for nomination or election to public office who is a minor shall have the rights and liabilities of an adult, both civil and criminal, with regard to his/her activities as a candidate. **Gov't. Code § 275.2**

Successful candidates must qualify for office by taking the oath of office and be able to be bonded in the amounts provided for by statute, by the presiding judge of the Superior Court, and/or by judges of the Superior Court. **Cal. Const., Art. XX, §3**

A person is incapable of holding a civil office if at the time of his/her election or appointment he/she is not 18 years of age and a citizen of the state. **Gov't. Code § 1020**

A person is disqualified from holding any office upon conviction of designated crimes as specified in the Constitution and laws of the State. **Gov't. Code § 1021**

The Declaration of Candidacy which each candidate must file states that the candidate meets the statutory and constitutional qualifications for the office (including, but not limited to, citizenship, residency, and party affiliation, if required) and that the candidate will accept the nomination and not withdraw if nominated. **§ 8040**



**SPECIAL QUALIFICATIONS TO RUN FOR AND HOLD PUBLIC OFFICE**  
**PARTISAN OFFICES**

**NOTE:** No Declaration of Candidacy for a partisan office, including a member of a county central committee, shall be filed by a candidate unless:

- (1) at the time of presentation of the Declaration and continuously for not less than three months immediately prior to that time, or for as long as he/she has been eligible to register to vote in the state, the candidate is shown by his/her affidavit of registration to be affiliated with the political party the nomination of which he/she seeks, and
- (2) the candidate has not been registered as affiliated with a qualified political party other than that political party the nomination of which he/she seeks within 12 months immediately prior to the filing of the Declaration.

**§ 8001**

**UNITED STATES SENATOR**

- must:**
- be at least 30 years of age;
  - have been a United States citizen for nine years; and
  - be a resident of California when elected.

No person shall be a Senator who shall not have attained the age of thirty years and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he/she shall be chosen.

**U.S. Const., Art.1, § 3**

The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote.

**U.S. Const., Amendment 17**

**REPRESENTATIVE IN CONGRESS**

- must:**
- be at least 25 years of age;
  - have been a United States citizen for seven years; and
  - be a resident of California when elected.

No person shall be a Representative in Congress who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he/she shall be chosen.

**U.S. Const., Art. 1, § 2**

District residence is not a requirement of a Representative in Congress. The Federal Constitution does not require that a representative reside within his/her district, and a state cannot make such residency a requirement for office.

**SPECIAL QUALIFICATIONS TO RUN FOR AND HOLD PUBLIC OFFICE**  
**PARTISAN OFFICES**

**GOVERNOR**

- must:**
- be a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person;
  - be a United States citizen and a resident of California;
  - not have served two terms in the office sought and may not hold another office.

**§ 201, Cal. Const., Art. V, §§ 2, 9, and 11**

§ 201 and Article V, Section 2 of the California Constitution requires California residency for five years; however, it is the legal opinion of the California Secretary of State's office that this provision violates the U.S. Constitution.

**LIEUTENANT GOVERNOR**

- must:**
- be a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person;
  - be a United States citizen and a resident of California; and
  - not have served more than two terms in the office sought.

**§ 201, Cal. Const., Art. V, §§ 2, 9, and 11**

§ 201 and Article V, Section 2 of the California Constitution requires California residency for five years; however, it is the legal opinion of the California Secretary of State's office that this provision violates the U.S. Constitution.

**SECRETARY OF STATE, CONTROLLER AND TREASURER**

- must:**
- be a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person;
  - be a United States citizen and a resident of California; and
  - not have served more than two terms in the office sought.

**§ 201, Cal. Const., Art. V, § 11**

**ATTORNEY GENERAL**

- must:**
- be a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person;
  - be a United States citizen and a resident of California;
  - have been admitted to practice before the California Supreme Court for a period of at least five years immediately preceding his/her election to the office; and
  - not have served more than two terms as Attorney General.

**§ 201, Gov't Code § 12503, Cal. Const. Art. V, § 11**

## **INSURANCE COMMISSIONER**

- must:**
- be a registered voter;
  - be a United States citizen and a resident of California;
  - not have served more than two four-year terms as Insurance Commissioner; and
  - during tenure of office, may not be an officer, agent, or employee of an insurer or directly or indirectly interested in any insurer or licensee under the California Insurance Code, except (a) as a policyholder, or (b) by virtue of relationship by blood or marriage to any person interested in any insurer or licensee.

Ins. Code §§ 12900, 12901

## **MEMBER, STATE BOARD OF EQUALIZATION**

- must:**
- be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person;
  - be a United States citizen and a resident of the district; and
  - not have served more than two terms as a Member of the Board of Equalization.

§ 201, Cal. Const. Art. XIII, § 17

## **STATE SENATOR and MEMBER OF THE ASSEMBLY**

- must:**
- be a registered voter in the district and otherwise qualified to vote for that office at the time nomination papers are issued to the person;
  - be a United States citizen; and
  - not have served more than two terms in the State Senate; not have served more than three terms in the State Assembly if a candidate for State Assembly.

§ 201, Cal. Const. Art. IV, § 2(c)

Article IV, §2(c) of the California Constitution states that a person is ineligible to be a member of the Legislature unless the person is an elector and has been a resident of the legislative district for one year, and a citizen of the United States and a resident of California for three years, immediately preceding the election.

**NOTE:** In October 1975, the California Supreme Court ruled that residency requirements of more than 30 days for local candidates are unconstitutional. On February 4, 1976 the Secretary of State issued an opinion which stated that a prospective candidate for local office, State Assembly or State Senate must be a resident at the time nomination papers are filed for at least 30 days immediately preceding such date of filing. On January 3, 1990, the Secretary of State's office clarified that it believes no residency requirement exists for legislative candidates beyond the date their nomination papers are issued.

## **MEMBER, COUNTY CENTRAL COMMITTEE**

- must:**
- **be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person.**

A person shall not be eligible for appointment or election to a county central committee who is not registered as affiliated with the political party of that committee at the time of his/her appointment or election. **§§ 7209, 7407, 7654, 7852**

### **The following information pertains to the Democratic, Republican, and American Independent political parties:**

If the Registrar of Voters, on the 73<sup>rd</sup> prior to the direct primary election, finds that the number of candidates nominated for election to a committee from an Assembly or Supervisorial District does not exceed the number of candidates to be elected from that district, the designation of the office and the names of the candidates to be elected from that district shall not be printed on the party's ballot in the Assembly or Supervisorial District unless there is filed with the Registrar of Voters, not later than 20 days after the final date for filing nomination papers for the positions, a petition indicating that a write-in campaign will be conducted for the office and signed by 25 registered voters affiliated with the political party involved. In lieu thereof, the Board of Supervisors shall declare elected the candidates who have been nominated, and those candidates shall be entitled to receive certificates of election in the same manner as other candidates elected to a committee. **§§ 7228, 7423, 7673**

### **The following information pertains to the Libertarian, Green, and Peace & Freedom political parties only:**

In each county, the name of each candidate for member of central committees shall appear on the ballot only if she/he has:

- (a) Filed a nomination paper pursuant to Article 2 (commencing with Section 8020) to Article 6 (commencing with Section 8100), inclusive, of Chapter 1 of Part 1 of Division 8 of the elections Code, signed in the candidate's behalf by the voters of the central committee election district in which she/he is a candidate; or
- (b) Has qualified to have her/his name printed on the direct primary ballot as a candidate for the Libertarian, Green, or Peace and Freedom party nomination to a partisan public office. **§ 7772**

In counties where members of central committees are to be elected by Supervisorial or Assembly District, a person seeking election as a member of a central committee may seek election only in the Supervisorial or Assembly District in which he/she resides. **§ 7773**

A person qualifying as a candidate for member of a central committee by virtue of qualification to have her/his name appear on the primary ballot for a partisan public office shall have her/his name listed on the ballot for member of a central committee only in the central committee election district of her/his residence. **§ 7774**

Notwithstanding any other provision of this code, a person may obtain and circulate nomination papers both for nomination to a public office and for election as a member of a central committee. **§ 7775**

Notwithstanding any other provision of this code, up to three candidates for member of central committees in a single central committee election district may have their names listed on a single sponsor's certificate, and the signatures thereon shall be counted toward the sponsor requirement of each and every candidate whose name is listed on the certificate. However, in no case shall the number of candidates having their names on a sponsor's certificate exceed the number of members of a central committee to be elected in the district. **§ 7777**

**EXCEPTION:** The Green Party elects (# is not available yet) county council members.

**SPECIAL QUALIFICATIONS TO RUN FOR AND HOLD PUBLIC OFFICE  
NON-PARTISAN OFFICES**

**STATE SUPERINTENDENT OF PUBLIC INSTRUCTION**

- must:**
- be a registered voter at the time nomination papers are issued to the person;
  - be a United States citizen and a resident of California; and
  - not have served more than two terms as State Superintendent of Public Instruction. Cal. Const. Art. IX, § 2

**COUNTY SUPERINTENDENT OF SCHOOLS**

- must:**
- be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person;
  - possess a valid credential issued by the State Board of Education;
  - possess a valid certification document authorizing administrative Services, and for the purposes of this section, the possession of a valid elementary administrative credential and a valid secondary administrative credential are equivalent to the possession of a valid general administrative credential. §§ 201, Ed. Code 1206, 1208

**COUNTY BOARD OF EDUCATION**

- must:**
- be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person; and
  - be an elector of the trustee area which he/she represents.

A candidate may not be the County Superintendent of Schools, any member of his/her staff, or any employee of a school district. §201, Ed. Code §§ 1000,1006

**JUDICIAL OFFICES**

- must:**
- be a registered voter; and
  - have been a member of the State Bar or served as a judge of a court of record in this state for 10 years immediately preceding selection.

A person is ineligible to be a judge of a court of record unless for 10 years immediately preceding selection to the superior courts, the person has been a member of the State Bar or served as a judge of a court of record in this state. **Cal. Const., Art. VI, § 15**

**NOTE:** Superior Court Judges and candidates are not required to reside in the county in which the court is located.

Terms of judges of Superior Courts are six years beginning the Monday after January 1 following their election. A vacancy shall be filled by election to a full term at the next

general election after the second January 1 following the vacancy, but the Governor shall appoint a person to fill the vacancy temporarily until the elected judge's term begins. **Cal. Const. Art. VI, § 16c**

If only the incumbent has filed nomination papers for the office of Superior Court Judge, his/her name will not appear on the ballot unless there is filed with the Registrar of Voters, within ten days after the final date for filing nomination papers for the office, a petition indicating that a write-in campaign will be conducted for the office and signed by 100 registered voters qualified to vote with respect to the office.

If a petition indicating that a write-in campaign will be conducted for the office at the general election, signed by 100 registered voters qualified to vote with respect to the office, is filed with the Registrar of Voters not less than 83 days before the general election, the name of the incumbent shall be placed on the general election ballot if it has not appeared on the direct primary election ballot. If the name of the incumbent does not appear either on the primary ballot or general election ballot, the Registrar of Voters, on the day of the general election, shall declare the incumbent reelected. **§ 8203**

If an incumbent of a judicial office dies on or before the last day prescribed for the filing of nomination papers, or files a Declaration of Intention, but for any reason fails to file his/her nomination papers by the last day prescribed for the filing of the papers, 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. **§ 8204**

A judge of a court of record may not practice law and during the term for which the judge was selected is ineligible for public employment or public office other than judicial employment or judicial office. A judge of the superior court may, however, become eligible for election to other public office by taking a leave of absence without pay prior to filing a declaration of candidacy. Acceptance of the public office is a resignation from the office of judge. **Cal. Const. Art. VI, § 17**

## **MEMBER OF THE BOARD OF SUPERVISORS**

- must:**
- **be a registered voter;**
  - **have been a registered voter in the district which he/she seeks to represent for at least 30 days immediately preceding the deadline for filing nomination documents for the office;**
  - **reside in the district during his/her incumbency.**

**§ 201, Gov't. Code §§ 25040, 25041**

**SPECIAL QUALIFICATIONS TO RUN FOR AND HOLD PUBLIC OFFICE  
NON-PARTISAN OFFICES**

**ASSESSOR**

- must:**
- be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person; § 201
  - possess a valid appraiser's certificate issued by the State Board of Equalization pursuant to Article 8, commencing with Section 670 of Chapter 3 of Part 2 of Division 1 of the Revenue and Taxation Code; Gov't. Code § 24002.5(a)
  - acquire, notwithstanding Gov't Code § 24002.5(a), for a period not to exceed one year, a temporary appraiser's certificate from the State Board of Equalization no later than 30 days after taking office. Gov't. Code § 24002.5(b)

**COUNTY AUDITOR, COUNTY CLERK-RECORDER, PUBLIC ADMINISTRATOR**

- must:**
- be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person; § 201

**DISTRICT ATTORNEY**

- must:**
- be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person; and
  - be eligible to practice in the Supreme Court of the State.

A person is not eligible to the office of district attorney unless he/she has been admitted to practice in the Supreme Court of the State. § 201, Gov't. Code § 24002

**SHERIFF**

- must:**
- be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person;
  - meet one of the following criteria:
    1. An active or inactive advanced certificate issued by the Commission on Peace Officer Standards and Training.
    2. One year of full-time, salaried law enforcement experience within the provisions of section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a master's degree from an accredited college or university.
    3. Two years of full-time, salaried law enforcement experience within the provisions of section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a bachelor's degree from an accredited college or university.



4. Three years of full-time, salaried law enforcement experience within the provisions of section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses an associate in arts or associate in science degree, or the equivalent, from an accredited college.
5. Four years of full-time, salaried law enforcement experience within the provisions of section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a high school diploma or the equivalent.

All persons holding the office of sheriff on January 1, 1989 shall be deemed to have met all qualifications required for candidates seeking election or appointment to the office of sheriff. **§ 201, Gov't. Code § 24004.3**

### **TREASURER-TAX COLLECTOR**

- must:**
- be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person;
  - must meet one of the following criteria:
1. Served in a senior financial management position in a county, city, or other public agency dealing with similar financial responsibilities for a continuous period of not less than three years, including, but not limited to, treasurer, tax collector, auditor, auditor-controller, or the chief deputy or an assistant in those offices.
  2. Possesses a valid baccalaureate, masters, or doctoral degree from an accredited college or university in any of the following major fields of study: business administration, public administration, economics, finance, accounting, or a related field, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.
  3. Possesses a valid certificate issued by the California State Board of Accountancy, showing that person to be, and a permit authorizing that person to practice as, a certified public accountant.
  4. Possesses a valid charter issued by the Institute of Chartered Financial Analysts showing the person to be designated a Chartered Financial Analyst, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.
  5. Possesses a valid certificate issued by the Treasury Management Association showing the person to be designated a Certified Cash Manager, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance. **§ 201, Gov't. Code § 27000.7**

## DECLARATION OF INTENTION

Information concerning the Declaration of Intention presented below applies **ONLY** to candidates for Superior Court Judicial offices. All other candidates, refer to the next section covering DECLARATION OF CANDIDACY AND NOMINATION PAPERS.

**Between February 1, 2010 and February 10, 2010, 5:00 p.m., all candidates for SUPERIOR COURT JUDICIAL OFFICES MUST file a Declaration of Intention.**

**Signatures in Lieu of Filing Fee MUST be submitted or the filing fee MUST be paid at the time the Declaration of Intention is filed.**

**Between February 15, 2010\* and March 12, 2010, 5:00 p.m., all candidates who are required to file a Declaration of Intention are also required to file a Declaration of Candidacy. If an in lieu petition does not contain the requisite number of valid signatures needed on a nomination paper, the candidate is also required to file nomination papers to meet the requirement for the requisite number of valid signatures needed.**

**§§ 8023, 8061**

**ALL FILING FEES ARE NONREFUNDABLE!**

**§ 8105**

Every candidate for a Superior Court Judicial office, not more than 14 nor less than 5 days prior to the first day on which his/her nomination papers may be circulated and signed or may be represented for filing, shall file in the office of the Registrar of Voters a written and signed statement of his/her intention to become a candidate for that office on a form to be supplied by the Registrar of Voters. A candidate for a numerically designated judicial office shall state in his/her declaration for which office he/she intends to become a candidate. The period for filing a Declaration of Intention is **February 1, 2010 through February 10, 2010, 5:00 p.m.**

**§ 8023**

If an incumbent fails to file a Declaration of Intention by **February 10, 2010, 5:00 p.m.**, the period is extended, for persons other than the incumbent, to **February 15, 2010\*, 5:00 p.m.** for that particular office.

**§ 8022**

No candidate for a Superior Court Judicial office shall be required to state his/her residential address on the Declaration of Intention provided for in this section. However, in cases where the candidate does not state his/her residential address on the Declaration of Intention, the elections official shall verify that the address is within the appropriate political subdivision and add the notation "verified" to the residential address line of the form.

**§ 8023**

**NOTE:** The required filing fee must be paid or Petition in Lieu of Filing Fee filed at the time the Declaration of Intention is filed for the Superior Court Judicial offices. The filing fee is nonrefundable.

**§ 8105**

**\*Date falls on a holiday; therefore, date is next business day.**

## DECLARATION OF CANDIDACY AND NOMINATION PAPERS

Between February 15, 2010\* and March 12, 2010, all candidates must file a Declaration of Candidacy and nomination papers.

The filing fee must be paid at the time the Declaration of Candidacy and nomination papers are obtained from the Registrar of Voters unless:

- (a) no filing fee is required; or
- (b) the candidate is using signatures in lieu of filing fee.

### **ALL FILING FEES ARE NONREFUNDABLE!**

February 15, 2010\* is the first date that candidates may obtain, circulate and leave for filing or examination and certification, the Declaration of Candidacy and nomination documents. **§ 8020**

The Registrar of Voters shall supply all forms required for nomination and election to all congressional, state, county and political party county central committee offices, and shall imprint a stamp which reads "Official Filing Form" and affix his/her signature. The forms shall be distributed without charge to all candidates applying for them, upon the pre-payment of the filing fee provided for in sections 8103-8106. **The filing fee will not be refunded in the event the candidate fails to qualify as a candidate.**

**§§ 8101, 8105**

Information to be completed by the candidate on the Declaration of Candidacy form includes the candidate's name, occupational (ballot) designation, residence/business address, mailing address, phone number, party affiliation (if applicable), and includes a statement that he/she meets the statutory and constitutional qualifications for the office and that, if nominated, he/she will accept the nomination and not withdraw. No candidate for a judicial office shall be required to state his or her residential address on the Declaration of Candidacy. **§ 8040**

If a candidate changes his/her name within one year of any election, the new name shall not appear upon the ballot unless the change was made by either of the following:  
(a) Marriage. (b) Decree of any court of competent jurisdiction. **§ 13104**

For candidates with long names, there is a possibility that the Registrar of Voters' system may split the name. Due to space limitations of the ballot, the Registrar of Voters' office is unable to change column size, font size, etc., to accommodate long names. Candidates should keep this in mind as they designate how they want their names to appear on the ballot.

If a candidate submits an In Lieu of Filing Fee Petition pursuant to section 8106, any valid signatures appearing on the petition will, if the candidate chooses and if the signatures are those of voters registered with the same political party as the candidate, be counted toward the number of voters required to sign a nomination paper. If an In Lieu of Filing Fee Petition contains the requisite number of valid signatures needed on a

\*Date falls on a holiday; therefore, date is next business day.

nomination paper, the candidate is not required to file nomination papers, but may request the Registrar of Voters to accept the petition instead of filing nomination papers.

**§ 8061**

**NOTE:** Even when using the Signatures In Lieu of Filing Fee process, the candidate is still required to file a Declaration of Candidacy during the nomination period. **§ 8020**

(See DETAILED INSTRUCTIONS FOR CANDIDATES AND THEIR CIRCULATORS for information on signing nomination papers.)

All nomination documents which are required to be filed in the office of the Secretary of State shall, within five days after being left with the Registrar of Voters, be forwarded to the Secretary of State, who shall receive and file them. The Registrar of Voters shall forward with the nomination documents a statement showing the total number of signatures on the nomination documents which have not been marked "not sufficient."

**§ 8082**

All nomination documents must be filed with the Registrar of Voters or left for examination and forwarding to the Secretary of State by **March 12, 2010, 5:00 p.m.** unless the filing period is extended due to circumstances described in the following paragraphs. Nomination signatures must be filed at the same time. However, if after verification, the minimum number of nomination signatures has not been attained, supplemental signatures may then be obtained until the filing deadline or the candidate may use a pro rata portion of the filing fees to cover any deficiency. **§ 8106(b)(3)**

If nomination documents for an incumbent Congressman, State Senator, Member of the Assembly, State Constitutional Officer, or Insurance Commissioner are not delivered by **5:00 p.m.** on the **88<sup>th</sup> day** before the direct primary election, any person other than the person who was the incumbent on the **88<sup>th</sup> day** shall have until **5:00 p.m.** on the **83<sup>rd</sup> day** before the election to file nomination documents for the elective office. However, if the incumbent's failure to file nomination documents is because he/she has already served the maximum number of terms permitted by the California Constitution for that office, there shall be no extension of the period for filing the nomination documents.

**§ 8022, 8204**

If an incumbent Superior Court Judicial Officer files a Declaration of Intention, but for any reason fails to qualify for nomination for the office by the last day prescribed for the filing of nomination papers, an additional five days shall be allowed for the filing of nomination papers for the office during the extended period, notwithstanding that he/she has not filed a written and signed Declaration of Intention to become a candidate for the office. **§ 8022, 8204**

If an incumbent Superior Court Judicial Officer fails to file a Declaration of Intention by the end of the Declaration of Intention filing period, persons other than the incumbent may file a Declaration no later than the first day for filing nomination papers. For additional requirements, see DECLARATION OF INTENTION information on a preceding page.

If nomination documents for an incumbent officer of a county office are not delivered by **5:00 p.m.** on the **88th day** before the direct primary election, any person other than the person who was the incumbent on the 88th day shall have until **5:00 p.m.** on the **83rd day** before the election to file nomination documents for the elective office. The filing period is not extended if there is no incumbent eligible to be elected. **§ 8024**

Every candidate must file a Declaration of Candidacy during the nomination period, whether or not a nomination paper is filed. The Declaration of Candidacy form must be obtained from and filed with the Registrar of Voters. **§ 8020**

If a person is a candidate for a nonpartisan office, all reference to party affiliation must be omitted on all forms required to be filed. **§ 8002**

No candidate whose Declaration of Candidacy has been filed for any primary election may withdraw as a candidate at that primary election. **§ 8800**

A candidate may, in a dated, signed, written statement signed by the candidate, designate a person to receive a Declaration of Candidacy form from the Registrar of Voters and deliver it to the candidate. Such statement shall include language indicating that the candidate is aware that the Declaration of Candidacy must be properly executed and delivered to the Registrar of Voters of the county of the candidate's residence by the 88th day prior to the direct primary election. **§ 8028**

In the event that the Declaration of Candidacy form is being returned to the Registrar of Voters by a person designated in writing by the candidate, the Declaration of Candidacy form/the Oath of Office **must be notarized** prior to filing with the Registrar of Voters. (See back of Declaration of Candidacy form compiled by the Secretary of State and Elections Code section 8028)

No person may file nomination papers for a party nomination and an independent nomination for the same office, or for more than one office at the same election.\* **§ 8003(b)**

\*Secretary of State Opinion No. 82 SOS 1, states that membership on a county central committee is not an "office" within the meaning of the above prohibition to file for more than one office.

## DETAILED INSTRUCTIONS FOR CANDIDATES AND THEIR CIRCULATORS

(Please read carefully before obtaining signatures)

### **CIRCULATORS**

Circulators (whether the candidate himself/herself or another person) perform the important duty of obtaining signatures of properly registered voters on the nomination papers. If the signatures are not obtained in accordance with law, the candidate's right to be placed on the ballot could be challenged.

All candidates should endeavor to obtain the required number of signatures as soon as possible, in order that their nomination papers may be returned to the Registrar of Voters for examination and filing or certification to the Secretary of State, as the case may be.

Circulators (whether the candidate himself/herself or another person) must make a sworn statement that all the signatures they obtained for the nomination papers were made in their presence and that to the best of their knowledge and belief each signature is the genuine signature of the person whose name it purports to be. Accordingly, nomination papers may not be handed to someone else to obtain the signatures. Only one person may obtain signatures to a section of a nomination paper. **§ 8041**

Notwithstanding any other provision of law, any registered voter who is a candidate for any office may obtain signatures to and sign his/her own nomination papers. His/her signature will be given the same effect as that of any other qualified signer. **§ 106(a)**

Any person engaged in obtaining signatures to the nomination papers of a candidate for any office may, if otherwise qualified to sign the papers, sign the papers. The signature shall be given the same effect as that of any other qualified signer. **§ 106(b)**

Appointed circulators shall be voters in the district or political subdivision in which the candidate is to be voted on and shall serve only in that district or political subdivision. **§ 8066**

A candidate running for an office contained in more than one county is encouraged to obtain more than the minimum number of qualified signers of the county of his/her residence in order to obtain the required minimum.

### **SIGNERS**

Only a person who is an eligible registered voter at the time of signing the nomination paper is entitled to sign it. Each signer shall, at the time of signing the nomination paper, **personally affix his/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. **§ 100**

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 political party, if any, in which the nomination is proposed. **§ 8068**

Signatures to a nomination paper shall not be obtained by the Registrar of Voters, or by the deputies in the office of the Registrar of Voters, nor within 100 feet of any election booth or polling place. **§§ 6123, 6383, 6592, 8452**

## DETAILED INSTRUCTIONS FOR CANDIDATES AND THEIR CIRCULATORS

(Please read carefully before obtaining signatures)

(Continued)

No signer shall, at the time of signing a nomination paper, have his/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 offices to be filled. **§ 8069**

Before filing or forwarding for filing any Declaration of Candidacy or nomination papers, the Registrar of Voters will verify the signatures and the political affiliations of the signers on the nomination papers with the registration affidavits on file in the office of the Registrar of Voters. The Registrar of Voters will mark "not sufficient" any signature which does not appear in the same handwriting as appears on the affidavit of registration in his/her office or which is accompanied by a declaration of party affiliation which is not in accordance with the declaration of party affiliation on the affidavit of registration. The Registrar of Voters may cease to verify signatures once the minimum requisite number of signatures has been verified. **§ 8081**

### DATES OF TAKING OFFICE

Elected **U.S. Senators** and **Congressional Officers** take office at noon on **January 3, 2011.** **U.S. Const., Amendment 20, § 1**

Members of the **State Senate** and **Assembly** take office on **December 6, 2010.** **Cal. Const., Art. IV, § 2**

Elected **State Officers** take office at noon on **January 3, 2011.** **Cal Const. Art. V, §§ 2, 11**

Elected members of the **Board of Supervisors** take office at noon on **January 3, 2011.** **Gov't Code § 24200**

Elected **County Officers** take office at noon on **January 3, 2011.** **Gov't Code § 24200**

Elected **County Board of Education Trustees** take office on **July 1, 2010.** **Ed. Code. § 1007**

Elected **Judges** take office on **January 3, 2011.** **Cal. Const., Art. VI, § 16**

Elected **county central committee members** take office as specified by the county committee.

**BALLOT DESIGNATIONS FOR CANDIDATES**  
**(§13107; see also Secretary of State Ballot Designation Regulations,**  
**Cal. Code Regs. Tit. 2, § 20710, et seq. – entire page)**

With the exception of candidates for Justice of the State Supreme Court or Court of Appeal, immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations:

- (1) 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/she was elected by vote of the people, or to which he/she was appointed, in the case of a superior court judge. There is no word limit for the official title of the office. A candidate may choose to include the name of his/her elective office with another profession, vocation, or occupation, but that ballot designation is limited to no more than three words.
- (2) The word "incumbent" if the candidate is a candidate for the same office which he/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. **The word "incumbent" must be used as a noun and must stand alone.**
- (3) 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, or, 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." **The words "appointed incumbent" must stand alone.** However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he/she holds and to which he/she was appointed, as a nominated candidate, in lieu of an election pursuant to Education Code sections 5326 and 5328 or Elections Code sections 7228, 7423, 7673, 10229, or 10515.
- (4) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or 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 and shall be limited to the names of cities, counties and states. The names of special districts and political subdivisions are not geographical names.** Punctuation shall be limited to the use of a comma. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

**"Principal"**, as that term is used in Elections Code §13107 (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. The ballot designation must accurately state the candidate’s principal professions, vocations, or occupations and must be factually accurate and descriptive, and neither confusing nor misleading.**

**“Profession”** means a field of employment requiring special education or skill and requiring specific knowledge of a particular discipline. 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 (a)(3) include, but are not limited to: Attorney, physician, accountant, architect, and teacher.

**“Vocation”** means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his/her livelihood and spends major portion of his/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 (a)(3) include, but are not limited to: Minister, priest, mother, father, homemaker, dependent care provider, carpenter, plumber, electrician, and cabinetmaker.

**“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 (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.

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/her “principal” professions, vocations, or occupations if (a) the candidate has maintained his/her license current as of the date he/she filed his/her nomination documents by complying with all applicable requirements of the respective licensure, including the payment of all applicable license fees and (b) the status of the candidate’s license is active at the time he/she filed his/her nomination documents. 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/her “principal” professions, vocations, or occupations if (a) the candidate’s licensure status is “inactive” at the time the candidate files his/her nomination documents, or (b) the candidate’s license has been suspended or revoked by the agency issuing the license at the time the candidate files his/her nomination documents.

A candidate may engage in 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 three-word limitation specified in Elections Code § 13107 (a)(3); (2) Each such proposed profession, vocation or

occupation shall be separately considered and must independently qualify as a “principal” profession, vocation, or occupation; and (3) When multiple professions, vocations or occupations are proposed as a ballot designation, they shall be separated by a slash (“/”).

- (5) **“Community Volunteer”** means a person who engages in an activity or performs a service for or on behalf of, without profiting monetarily, one or more of the following: (1) A charitable, educational, or religious organization as defined by the U.S. Internal Revenue Code § 501(c)(3); (2) a governmental agency; or (3) an educational institution. The activity or service must constitute substantial involvement of the candidate’s time and effort such that the activity or service is the sole, primary, main, or leading professional, vocational or occupational endeavor of the candidate. **The words “Community Volunteer” must stand alone.** If the volunteer work is considered an “avocation” (see below under “Unacceptable Ballot Designations”), then “Community Volunteer” may not be used as the ballot designation.
- (6) The use of the word **“retired”** is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation. These factors will be taken into consideration: (a) Prior to retiring from his/her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than five years; (b) The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension; (c) The candidate has reached at least the age of 55 years; (d) The candidate voluntarily left his/her last professional, vocational, or occupational position; (e) If the candidate requests a ballot designation that he/she is a retired public official, he/she 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; (f) The candidate has not had another more recent, principal profession, vocation, or occupation; and (g) The candidate’s retirement benefits are providing him/her with a principal source of income; (h) The candidate possesses another more recent, intervening principal profession, vocation, or occupation.

#### **UNACCEPTABLE BALLOT DESIGNATIONS:**

- (1) The following types of activities are distinguished from professions, vocations, and occupations and are not acceptable as ballot designations pursuant to Elections Code § 13107 (a)(3):
- (a) **Avocations:** An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and is 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. Example: (a) If a person is a PTA President (not a paid position), and does not have a principal profession, vocation, or occupation, then that person could use “Community Volunteer” as his/her ballot designation but could not use “PTA President”. “PTA President” is considered a “status (see #3: Statures); (b) If the person is a PTA President (not a paid position), and also has a principle profession, vocation, or occupation, he/she must use his/her principle profession, vocation, or occupation as his/her ballot designation; (c) If the person is a PTA President (not paid position) and also has a principle

profession, vocation, or occupation, he/she **could not** use both the principle profession, vocation, or occupation and “Community Volunteer” (even if the designation meets the three-word requirement) because “Community Volunteer” must stand alone.

- (b) **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: Honorary peace officer, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess and the like.
- (c) **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: Veteran, proponent, reformer, scholar, founder, philosopher, philanthropist, mother of eleven, activist, patriot, taxpayer, concerned citizen, Kiwanis Club President, PTA President, husband, and wife.
- (2) A ballot designation which abbreviates the word “retired” or places it following any word or words which it modifies. Examples of impermissible designations include, but are not limited to: Ret. Army General and Major USAF, Retired, and City Attorney, Retired.
- (3) No degree shall appear on the same line on a ballot as a candidate’s name, either before or after the candidate’s name per Elections Code section 13106. Examples include, but are not limited to: Ph.D., M.A., B.A., B.S., and M.D.
- (4) 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.
- (5) Pursuant to Elections Code **§ 13107 (a)(2)**, a ballot designation which 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: Senior, emeritus, specialist, magnate, outstanding, leading, expert, virtuous, eminent, best, exalted, prominent, famous, respected, honored, honest, dishonest, corrupt, lazy, advocate, and the like.
- (6) A 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. These include, but are not limited to: Ex-, former, past, and erstwhile. Examples of impermissible designations include: Former Congressman, Ex-

## BALLOT DESIGNATIONS FOR CANDIDATES

(§ 13107 – entire page)

Senator, and Former Educator.

- (7) A ballot designation indicating that a 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 § 13107(a)(1).
- (8) A ballot designation which uses the name of any political party, whether or not it has qualified for recognized ballot status.
- (9) A ballot designation which uses a word or words referring to a racial, religious or ethnic group or implies any ethnic or racial slurs or ethnically or racially derogatory language.
- (10) If the candidate is a member of the clergy, the candidate may not make reference to his/her specific denomination. However, the candidate may use his/her clerical title as a ballot designation (e.g. Rabbi, Pastor, Minister, Priest, Bishop, Deacon, Monk, Nun, Imam, etc).

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 which 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 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 prohibited by law.

Each candidate who submits a ballot designation **shall file a Ballot Designation Worksheet** that supports the use of that ballot designation by the candidate. The Ballot Designation Worksheet shall be filed with the Registrar of Voters at the same time that the candidate files his/her Declaration of Candidacy. The Ballot Designation Worksheet is public record and shall be available for inspection and copying. **§ 20711**

If a candidate requests a change of his or her ballot designation pursuant to Elections Code § 13107(e), that request shall be accompanied by a new Ballot Designation Worksheet. **§ 20711**

**IN THE EVENT THAT A CANDIDATE FAILS TO FILE A BALLOT DESIGNATION WORKSHEET, NO DESIGNATION SHALL APPEAR UNDER THE CANDIDATE'S NAME ON THE BALLOT.**

**§13107.3**

If upon checking the nomination documents, the elections official finds the designation to be in violation of any of the restrictions set forth in this section, 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 days from the date of receipt of the notice, appear before the elections official 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 will appear after the candidate's name.**

No ballot designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official to change an unacceptable designation.

**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. The written request must be accompanied by a ballot designation worksheet.**

**§ 13107(e)**

In all cases, words so used shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements of sections 13207 and 13211, the elections official shall use a type size for the designation for each candidate for that 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. Sec. 1971), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is practicable with this section, and shall employ abbreviations and initials wherever possible in order to avoid undue length.

### **BALLOT ORDER OF CANDIDATES**

The Secretary of State shall conduct a drawing of the letters of the alphabet, the result of which shall be known as a randomized alphabet. The procedure shall be as follows: Each letter of the alphabet shall be written on a separate slip of paper, each of which will be folded and inserted into a capsule. Each capsule shall be opaque and of uniform weight, color, size, shape, and texture. The capsules shall be placed in a container, which shall be shaken vigorously in order to mix them thoroughly. The container then shall be opened and the capsules removed at random one at a time. As each is removed, it shall be opened and the letter on the slip of paper read aloud and written down. The resulting random order of letters constitutes the randomized alphabet, which is to be used in the same manner as the conventional alphabet in determining the order of all candidates in all elections. For example, if two candidates with the surnames Campbell and Carlson are running for the same office, their order on the ballot will

depend on the order in which the letter M and R were drawn in the randomized alphabet drawing. The drawing shall be open to the public. A drawing will take place for each election date. **The date of the drawing for the primary election will be March 18, 2010, 11:00 a.m.** § 13112

For **offices to be voted on throughout the state**, the Secretary of State shall arrange the names of the candidates according to the randomized alphabet for the First Assembly District. Thereafter, for each succeeding Assembly District, the name appearing first in the last preceding Assembly District shall be placed last, the order of the other names remaining unchanged. § 13111(c)

For the office of **Representative in Congress** or **Member of the State Board of Equalization**, the Secretary of State shall arrange the names of candidates for the office according to the randomized alphabet for that Assembly District which has the lowest number of all the Assembly Districts in which candidates are to be voted on. Thereafter, for each succeeding Assembly District in which the candidates are to be voted on, the names appearing first in the last preceding Assembly District shall be placed last, the order of the other names remaining unchanged. § 13111(d)

If the office is that of **State Senator** or **Member of the Assembly**, the names of the candidates shall appear according to the randomized alphabet unless the district encompasses more than one county, in which case the arrangement shall be made pursuant to subdivision (i). § 13111(e)

If the office is that of **State Senator** or **Member of the Assembly**, and the district includes more than one county, the elections official in each county shall conduct a drawing of the letters of the alphabet, pursuant to the same procedures specified in section 13112. The results of the drawing shall be known as a county randomized ballot and shall be used only to arrange the names of the candidates when the district includes more than one county. § 13111(i)

If the office is to be voted upon wholly within, but not throughout, one county, such as **county supervisor, board of education** or **central committee**, names shall appear according to the randomized alphabet. § 13111(f)

If the office is to be voted on throughout a single county and there are five or more Assembly Districts wholly or partly in the county, the names shall appear according to the randomized alphabet for the Assembly District which has the lowest number. Thereafter, for each succeeding Assembly District, the name appearing first for each office in the last preceding Assembly District shall be placed last, the order of the other names remaining unchanged. § 13111(h)

## CANDIDATE'S STATEMENT OF QUALIFICATIONS

Each candidate for **nonpartisan elective office** in any local agency, including any city, county, city and county, or district, may prepare a Candidate's Statement on an appropriate form provided by the elections official. The statement may include the name, age and occupation of the candidate and a brief description, of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself/herself. However, the governing body of the local agency may authorize an increase in the limitations on words for the statement from 200 to 400 words. **The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.** The candidate must sign the statement before it is filed in the office of the Registrar of Voters when his/her nomination papers are returned for filing, if it is for a primary election, or for an election for offices for which there is no primary. The statement shall be filed in the office of the elections official no later than the 88th day before the election, if it is for an election for which nomination papers are not required to be filed. The statement **may be withdrawn, but not changed**, during the period for filing nomination papers and until **5:00 p.m.** of the next working day after the close of the nomination period. **§ 13307**

**NOTE:** In the event that the nomination period for a particular office is extended because an incumbent eligible to be elected did not file nomination papers, a Candidate's Statement for that particular office may be withdrawn, but not changed, during the extended nomination period and until **5:00 p.m.** of the next working day after the close of the extended nomination period. **§ 13307**

Pursuant to Proposition 34 adopted by the voters in November of 2000, all candidates for **State elective offices** as specified in Government Code section 82053 who have voluntarily agreed to expenditure limits may prepare a Candidate's Statement. The statement must be filed no later than **5:00 p.m. on the 88<sup>th</sup> day** prior to the election, or in the event the nomination period has been extended, until **5:00 p.m. on the 83<sup>rd</sup> day** prior to the election, whichever is applicable. All statements must be submitted on the form provided by the county elections official of each county in which the candidate wishes to have his/her statement printed.

Candidates for **Members of County Central Committees** cannot file a Candidate Statement. 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 section 13107(a)(1). **California Code of Regulations 20712, §13107**

**A Candidate's Statement of Qualifications may make no reference to another candidate.** In addition to the restrictions set forth in Section 13307, any Candidate's Statement of Qualifications submitted pursuant to Section 13307 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 that 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. **§ 13308**

**IMPORTANT NOTICE TO CANDIDATES IN DISTRICTS THAT ENCOMPASS MORE THAN ONE COUNTY:** All candidates running for office in a district located in more than one county must file nomination papers with the county elections official where the candidate is domiciled. **HOWEVER**, if a candidate in a multi-county district would like his/her Candidate's Statement (if applicable) to be included in the sample ballot pamphlet distributed in each county of the district, the statement **must** be filed in the office of each county's election official. In addition, the cost of printing and handling the Candidate's Statement in each county must be paid to each county elections official. The fee will vary in each county depending on many factors, including the number of registered voters within that portion of the district. **It is the candidate's responsibility to contact each county to obtain the appropriate information from each county. Failure to do so may jeopardize the printing of the candidate statement.** (California Association of Clerks & Election Officials' Candidate Statement Guidelines)

The Registrar of Voters will send to each voter, together with the sample ballot, a voter's pamphlet which contains the written statements of each candidate that is prepared pursuant to this section. The statement of each candidate will be printed in type of uniform size and darkness, and with uniform spacing. **§ 13307(b)**

All Candidates' Statements shall remain confidential until the expiration of the filing deadline. **§ 13311**

The Registrar of Voters will estimate the total cost of printing and handling of the Candidate's Statements filed pursuant to this section, and will require each candidate having a statement to pay in advance his/her estimated pro rata share as a condition of having his/her statement included in the voter's pamphlet. The candidate must also sign a deposit agreement at the time the statement is filed. A copy of the signed deposit agreement and signed statement will be given to the candidate. The Registrar of Voters will determine the cost for each candidate and will refund any excess amount paid within 30 days of the election. An invoice will be sent if any additional amount is required to be paid by the candidate.

**If a candidate's contest does not appear on the ballot (due to being a contest whose candidates may be appointed in lieu of election if the number of candidates nominated does not exceed the number of candidates to be elected from that district), the Candidate's Statement payment will be refunded.**

In the event that a candidate pays for a statement by check and the check is returned by the bank due to insufficient funds, the candidate will have 24 hours to pay for the statement in cash, money order or certified check, or the statement will not be printed in the voter's pamphlet. **§ 13307**

**NOTE:** Pursuant to minority language provisions of the Federal Voting Rights Act, Orange County is required to provide election materials in the Chinese, Korean, Vietnamese and Spanish languages in addition to English. The materials covered by this Act include Candidate's Statements. Therefore, all estimated costs include translating and printing of Candidate's Statements in the Chinese, Korean, Spanish and Vietnamese languages. These materials will be provided to voters who have requested Chinese, Korean, Spanish and Vietnamese language election materials.



Nothing in the foregoing shall be deemed to make any statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in the voter's pamphlet. § 13307

Before the nomination period opens, the local agency for that election shall determine whether a charge shall be levied against that candidate for the candidate's statement sent to each voter. This decision shall not be revoked or modified after the seventh day prior to the opening of the nominating period. A written statement of the regulations with respect to charges for handling, packaging, and mailing shall be provided to each candidate or his/her representative at the time he/she picks up the nomination papers. § 13307

For purposes of this section, the Board of Supervisors shall be deemed the governing body of judicial elections.

**NOTICE REQUIRED BY ELECTIONS CODE SECTION 13307 FOR  
BOARD OF SUPERVISORS, COUNTY ELECTIVE OFFICES, COUNTY BOARD OF  
EDUCATION, AND JUDGES**

The Board of Supervisors, by Resolution No. 76-136, adopted the following regulations:

1. The limitation on words for statements of qualifications for candidates is increased from 200 words to 400 words.
2. The statements of qualifications shall be prepared at the expense of the candidate and that only the cost of mailing such statements shall be borne by the County of Orange.

For all Candidate's Statements filed on or before **March 12, 2010**, the public inspection period is **March 13, 2010 through March 22, 2010, 5:00 p.m.** For all Candidate's Statements filed during the extended filing period, the public inspection period is **March 18, 2010 through March 26, 2010\*, 5:00 p.m.** at the Registrar of Voters' office, in conformance with Elections Code Section 13313.

*\*Per Elections Code section 15: Notwithstanding any other provision of law, if the last day for the performance of any act provided for or required by this code shall be a holiday, the act may be performed upon the next business day. Gov't Code section 6700 states: Saturdays are holidays only after 12:00 p.m. The express language of Elections Code section 15 refers to the "last day", meaning the whole day must be a holiday in order for the extension to apply. Since the deadline is a Saturday -- a half-day -- it is not considered a holiday. Therefore, there is no extension of time to the following Monday. To be timely, the extended filing period deadline must be **Friday, March 26, 2010, 5:00 p.m.***

**CANDIDATES IN RUN-OFF CONTESTS IN THE GENERAL ELECTION** may re-submit the same statement or present a new statement of qualifications. The statement accompanied by full payment must be submitted to the Registrar of Voters **NO LATER THAN AUGUST 6, 2010, 5:00 P.M. FOR THE GENERAL ELECTION.**

**LEGISLATIVE CANDIDATES** may re-submit the same statement as printed in the Primary Election Sample Ballot Pamphlet or present a new Candidate's Statement of Qualifications. **However, legislative candidates may purchase statement space in the pamphlet only if they have agreed to voluntary expenditure limits. If a candidate rejects the voluntary expenditure ceiling in the Primary Election but did not exceed the ceiling during that election, he/she may amend the Form 501 to accept the expenditure ceiling for the General Election. The amended Form 501 must be filed within 14 days following the Primary Election – no later than June 22, 2010, 5:00 p.m.** (Proposition 34, California Form 501 Instructions)

## CANDIDATE STATEMENT FORMATTING GUIDELINES

The Registrar of Voters office has a semi-automated system for Sample Ballot input/layout of Candidate's Statement of Qualifications. Due to the volume of statements and printing deadlines, it is necessary to have a standardized format for Candidate's Statements. We have prepared the following guidelines to assist candidates in the preparation of their statements.

1. The following paragraph styles are acceptable with this system.

### INDENTED PARAGRAPHS:

Xxxxx xxxxx xxxxxxxxxxx xxxxx xxxxx. X xxxx xx xxxxxxxxxxx xxxxxxxxxxx  
xxxxxxxxxxxx xxxxxxx xxxxxxxxxxx xx xxx xxxxx. Xxx xxxxx xxxxxxx xxxxx xx xx  
Xxxx xxxxxxxxxxx xx x x xxxxxxxxxxx x xxxxxx xxxxx. Xxx xxxxxxx xxxxxxx xxxxx xx  
xxx xxxxx xxx xxxxxx. Xx xxxxx xxx.

### BLOCK PARAGRAPHS:

Xxxxx xxxxxxx xxxxx. Xxxx x xx xxxx xxxxxxxxxxx xxx. Xxxx xxx xxx xxxxxxxxxxx  
xxxx. X xxx xxxxx xxx x xx xxxx. Xxx xxx xxx xxxxxxx xxxxx xxx.

Xxx xxxxxxx xxx. Xx xxx xxxxxxx xxxxxxx xxxxx. X xxx xxxxx xxxxxxx xxxxx xxx  
x xx xxx xxx. Xxx xxxx xxxxxxxxxxx xxxxx xxx. Xxx xxxxx xxxxxxx xxxxxxx xxxxx.

**DO NOT USE ANY PARAGRAPH/FORMAT STYLE OTHER THAN THOSE LISTED ABOVE.**

2. All statements must be submitted on our form or typed or printed by automated equipment. **DO NOT PRINT ANY STATEMENT ON LINED PAPER.**

3. NOTE: Age and occupation are not included in the word count. **The words reflected in the "Occupation" field must follow the ballot designation guidelines listed on pages 44 through 48 of this handbook.**

4. Do not underline or **bold** WORDS. § 13307

5. Words may NOT be all CAPITAL letters.

6. Do not use *italics* or type styles to highlight portions of the statement. § 13307

7. Do not use different type sizes. § 13307

8. A 200-word statement must fit on one quarter of a Sample Ballot page. A 400-word statement must fit on a half page of a sample ballot page. If your statement exceeds this limitation, we will be forced to adjust your format to fit in the space allowed.

9. Do not use bullet points, stars, asterisks, or numbers that function as bullet points to off-set paragraphs.

10. All statements are printed in the sample ballot pamphlet with the following titles which are not included in the word count:

**NAME OF DISTRICT  
TITLE OF OFFICE**

Use these general guidelines to assist you in the preparation of your statement. There are other requirements regarding the content of your statement that are outlined in your candidate's handbook.

**CHECK YOUR STATEMENT CAREFULLY FOR ERRORS IN SPELLING, PUNCTUATION, AND GRAMMAR BEFORE FILING. WITH THE EXCEPTION OF THE FORMATTING REQUIREMENTS, YOUR STATEMENT WILL BE PRINTED EXACTLY AS SUBMITTED.**

## DEPOSIT AMOUNT REQUIRED FOR CANDIDATE'S STATEMENT OF QUALIFICATIONS

**NOTE:** The deposit amount required for Candidate's Statement of Qualifications for each contest for which a candidate may file a statement will be posted on the Registrar of Voters' website at [www.ocvote.com](http://www.ocvote.com) in the near future.

Any candidate needing information applicable to indigents should check with the Registrar of Voters' office.

The deposit amount required for candidates for State Legislative offices will be listed on the Registrar of Voters' website. However, only those legislative candidates who have voluntarily agreed to expenditures limits may prepare a Candidate's Statement not to exceed 250 words.

If the district is shared by more than one county, the deposit amount posted on the Registrar of Voters' website is only for the Orange County portion of the district. If the candidates wishes to have his/her Candidate's Statement printed in another county's Sample Ballot Pamphlet, he/she must also file his/her statement and pay the deposit in that county's elections office.

**NOTE:** Candidate's Statement cost estimates are calculated using the following assumptions: Two candidates per contest, two 200-word statements per contest, and a 10% increase in voter registration prior to the printing of the sample ballots based on registered voter counts from September 10, 2009. **Since the actual costs are based on the actual number of candidates and length of statements, the above amounts are only an estimate. If more candidates prepare statements for the same office, the actual cost per candidate will be less than the deposit amount. If only one candidate prepares a statement for an office, the actual cost of the statement will be significantly higher.**

**The actual cost of the statement may also be higher due to increases in sample ballot production costs and printing and the translation into four required languages countywide, as required by federal law.** Although the Registrar of Voters attempts to make the closest possible estimates, there are often either increases or decreases in costs for a particular contest. **Bills, if any, or refunds will be made within thirty (30) days of the election.**

**If a candidate's contest does not appear on the ballot (due to being a contest whose candidates may be appointed in lieu of election if the number of candidates nominated does not exceed the number of candidates to be elected from that district), his/her Candidate's Statement payment will be refunded.**

A candidate may withdraw his/her Candidate's Statement by signing and submitting a cancellation notice to the Registrar of Voters no later than 5:00 p.m. of the next working day after the close of the nomination period.

**WORD COUNT STANDARD FOR CANDIDATE'S STATEMENT**  
**(§9 – entire page)**

Each word shall be counted as one word except as specified on this page.

The following are the guidelines for computing the word count:

The title of the office, name, district, age, and occupation lines are not included in the word count –only the text is counted.

Punctuation marks are not included in the word count.

Symbols such as “&” (and), and “#” (number/pound) are not considered punctuation..... each symbol is counted as one word

Dictionary words.....one word

The words "a", "the", "and", and "an" are counted as individual words.

Geographical names -- limited to cities, counties, and states.....one word

Examples: County of Orange, Orange County, and San Juan Capistrano,

Abbreviations - UCLA, U.C.L.A., PTA, P.T.A., USMC, U.S.M.C.....one word

Acronyms.....one word

Regularly hyphenated words appearing in any generally available standard reference dictionary published in the United States within 10 years preceding the election. Each part of all other hyphenated words shall be counted as a separate word.....one word

Dates - all digits (4/8/98).....one word

Words and digits (April 8, 1998).....two words

Whole numbers - Digits (1 or 10 or 100, etc.).....one word

Spelled out (one or ten or one hundred).....each word counts as one word

Names of persons and things.....each word counts as one word

Gus Enright (two words); L.A. Basketball Team (three words)

Numeric combinations (1973, 18 1/2, 1971-73, 5%).....one word

Monetary amounts (if the dollar sign is used with figures - \$1,000).....one word

Spelled out (one thousand dollars).....each word counts as one word

Telephone/fax numbers.....one word

E-mail and web site addresses.....one word

If the text exceeds the word limit, the candidate must delete or change a sufficient number of words, or a sentence, to put the statement within the required word limit before the statement is filed. The candidate should correct any misspellings before the statement is filed.

**The submitted statement must be typed. No word will be printed in "ALL CAPS", bolding or underlining. Do not use bullet points or numbers that function as bullet points to offset paragraphs. See “Candidate Statement Formatting Guidelines” for more information.** The scanning equipment used by the Registrar of Voters office to produce camera ready copy for sample ballot printing has some limitations; therefore, the style of a Candidate's Statement must conform to the sample you will be given. The statement may include a description of the candidate's education and qualifications expressed by the candidate himself/herself.

**THE PRECEDING INFORMATION SHALL NOT APPLY TO COUNTING WORDS FOR  
BALLOT DESIGNATIONS UNDER SECTION 13107**

The candidate must sign and date the statement before it is filed. All statements are confidential until the expiration of the filing deadline. The candidate is required to pay the estimated cost of the statement and sign a deposit agreement at the time the statement is filed. When the statement is filed, a copy of the signed statement and the signed deposit agreement will be given to the candidate.

**The statement must be filed at the same time that the Declaration of Candidacy is filed.** The statement **may be withdrawn, but not changed**, during the period for filing nomination documents and until **5:00 p.m.** of the next working day after the close of the nomination period.

**NOTE:** If the nomination period is extended, because an incumbent, eligible to be elected, failed to file a Declaration of Candidacy, the next working day after the close of the extended filing period for the office is the last day that a Candidate's Statement may be withdrawn, but not changed.

COURT OF APPEAL-4TH DIST., DIV. 3  
FILED

MAR 24 1998

Stephen M. Kelly, Clerk  
Deputy Clerk

*CERTIFIED FOR PUBLICATION*

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

JOHN F. DEAN,

Petitioner,

v.

THE SUPERIOR COURT OF  
ORANGE COUNTY,

Respondent;

ROSALYN LEVER et al.,

Real Parties in Interest.

G023111

(Super. Ct. No. 791765)

OPINION

Original proceedings; petition for a writ of mandate to challenge an order of the Superior Court of Orange County, John C. Woolley, Judge. Writ issued.

Darryl R. Wold and Reed & Davidson for Petitioner.

No appearance for Respondent.

Mark S. Rosen for Real Party in Interest Darrell Opp.

No appearance for Real Party in Interest Rosalyn Lever.

COPY EXHIBIT D



\* \* \*

Petitioner, a candidate for local office, seeks extraordinary writ relief mandating the Registrar of Voters delete part of an opponent's candidate statement as an impermissible personal attack on petitioner. We issue relief and conclude the superior court erred in not ordering the deletion.

Darrell Opp seeks to unseat the incumbent petitioner, John Dean, as county superintendent of schools in the upcoming June 1998 election. Opp submitted a candidate statement to the Registrar of Voters which began with the following three paragraphs commenting on petitioner: "[¶] The incumbent, John Dean, is failing our schools, our children and the taxpayers. [¶] Under Dean's tenure \$250,000,000 (Two Hundred and Fifty Million!) was borrowed to gamble in the bankrupt Citron investment pool. Dean personally authorized this borrowing. He is one of the few remaining county officials who has not resigned or been removed from office for his role in this fiasco. [¶] Dean's 'leadership' over the last eight years resulted in massive increases in the size of the County bureaucracy. Elected on a platform to cut the county budget, instead his budget has increased from \$64 Million to over \$105 Million."<sup>1</sup>

Dean challenged Opp's candidate statement by seeking a writ of mandate in the superior court pursuant to Elections Code section 13313.<sup>2</sup> That section authorizes the court to mandate amendment or deletion of material in the voter's pamphlet which is "false, misleading, or inconsistent with the requirements of this chapter, . . . ."

Dean sought relief on two grounds: (1) deletion of the first three paragraphs (quoted above) "because they consist entirely of material that is not permitted to be included in a candidate's statement" and (2) deletion of four false and misleading

---

<sup>1</sup> The statement continues with a recitation of Opp's background, his platform for the County Department of Education, and a list of individuals who have endorsed his candidacy.

<sup>2</sup> All further references are to the Elections Code unless otherwise noted.

sentences in the second and third paragraphs of the statement. The trial court denied the request to delete the first three paragraphs in their entirety, but did direct amendments to the second and third paragraphs.<sup>3</sup> The only issue presented here is whether the lower court erred in refusing to delete the first three paragraphs in their entirety.

Section 13307 delineates the contents of a candidate's statement for local office, as well as the procedures for inclusion of such a statement in the voter's pamphlet. In pertinent part, the statute provides: "(a)(1) Each candidate for nonpartisan elective office in any local agency, including any city, county, city and county, or district, may prepare a candidate's statement on an appropriate form provided by the elections official. The statement may include the name, age and occupation of the candidate and a brief description, of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself or herself. However, the governing body of the local agency may authorize an increase in the limitations on words for the statement from 200 to 400 words. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations."

"[T]he interpretation and applicability of a statute is a question of law." (*City of Petaluma v. County of Sonoma* (1993) 12 Cal.App.4th 1239, 1244.) In reviewing petitioner's claim, we are guided by well settled rules of statutory interpretation. The most fundamental of these rules is that where the statute is clear, the "plain meaning" rule applies. The Legislature is presumed to have meant what it said, and the plain meaning of the language governs. (*Great Lakes Properties, Inc. v. City of El Segundo* (1977) 19 Cal.3d 152, 155.) "If the language is clear and unambiguous there

---

<sup>3</sup> The court directed the second paragraph be amended to read: "During Dean's tenure \$250,000,000 (Two Hundred and Fifty Million!) was borrowed to invest in the risky Citron investment pool. Dean should have prevented this borrowing. He is one of the few remaining bankruptcy-era county officials who has not resigned or been removed from office." The court directed the third paragraph amended to read: "Dean's 'leadership' over the last eight years resulted in massive increases in the size of the County Department of Education bureaucracy. Elected on a platform to cut the Department's budget, instead his budget has increased from \$64 Million to over \$105 Million."

is no need for construction, nor is it necessary to resort to indicia of the intent of the Legislature . . . ." (*Delaney v. Superior Court* (1990) 50 Cal.3d 785, 798.)

The language of section 13307 is unambiguous. "The statement may include the name, age and occupation of the candidate and a brief description . . . of the candidate's education and qualifications. . . ." As noted by the Supreme Court in *Clark v. Burleigh* (1992) 4 Cal.4th 474, "[t]he negative implication of this specific list, of course, is that the Legislature did not intend the statutory candidate's statement to contain any other material: *expressio unius est exclusio alterius*. (Citation omitted.)"<sup>4</sup> (*Id.*, at p. 489, emphasis in original.)

Opp argues *Clark* is distinguishable because section 13308, which governs *judicial* elections, contains specific limitations prohibiting comments on another candidate's qualifications, character or activities. *Clark* first found the implied intent to limit the statement from the same words used in the statute we review here. The additional language specific to judicial elections demonstrates additional express intent. But express intent is unnecessary here under the maxim *expressio unius est exclusio alterius*. "The expression of some things in a statute necessarily means the exclusion of other things not expressed." (*Gikas v. Zolin* (1993) 6 Cal.4th 841, 852, citing *Dyna-Med, Inc. v. Fair Employment & Housing Com.* (1987) 43 Cal.3d 1379, 1391, fn. 13; see also *Lake v. Reed* (1997) 16 Cal.4th 448, 466-467.) Here, the statute expressly authorizes comment's on one's own qualifications, to the exclusion of comments on an opponent's qualifications.

We have received a reply from real party in interest Opp. Further proceedings would add nothing to our review. (See *Palma v. U.S. Industrial Fasteners, Inc.* (1984) 36 Cal.3d 171, 180.) The relevant law and facts are entirely clear. (*Ng v.*

---

<sup>4</sup> *Clark* interpreted sections 10012 and 10012.1, the predecessors to sections 13307 and 13308. (See Stats. 1994, ch. 920, § 2.)

*Superior Court* (1992) 4 Cal.4th 29, 35.) Consequently, additional briefing and oral argument would serve no useful purpose. (*Alexander v. Superior Court* (1993) 5 Cal.4th 1218, 1222-1223.) Moreover, time is of the essence. (See Elec. Code, § 13314, subd. (a)(3).)

Let a peremptory writ of mandate issue directing the Registrar of Voters to delete the first three paragraphs of Opp's candidate statement from the voter's pamphlet and to print the Opp candidate statement in the voter's pamphlet without those three paragraphs. To prevent mootness and to prevent frustration of the relief granted, this court's decision shall be final upon filing of the opinion. (Cal. Rules of Court, rule 24(d).)

SILLS, P. J.

WE CONCUR:

WALLIN, J.

RYLAARSDAM, J.

## WRITE-IN CANDIDATES

Every person who desires to be a write-in candidate and have his/her name as written on the ballot of an election counted for a particular office shall file:

(a) A Statement of Write-in Candidacy that contains the following information:

- (1) Candidate's name.
- (2) Residence address.
- (3) A declaration stating that he/she is a write-in candidate.
- (4) The title of the office for which he/she is running.
- (5) The party nomination which he/she seeks, if running in a primary election. A candidate need **not** be registered with the party whose nomination he/she is seeking.
- (6) The date of the election.

(b) The requisite number of signatures on the nomination papers, if any. **§ 8600**

The Statement of Write-in Candidacy form and nomination papers shall be available from the Registrar of Voters' office on **April 12, 2010**. The statement and nomination papers shall be delivered to the elections official responsible for the conduct of the election no later than the 14th day prior to the election, **May 25, 2010, 5:00 p.m.** **§ 8601**

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. **§ 8603**

No fee or charge shall be required of a write-in candidate. **§ 8604**

No person whose name has been written in upon a ballot for an office at the Primary Election may have his/her name placed upon the ballot as a candidate for that office for the ensuing General Election unless one of the following statements is applicable:

- (a) At that Primary Election, the write-in candidate must receive more votes than any other candidate running for the party's nomination and he/she received for that office votes equal in number to at least 1 percent of all votes cast for the office at the last preceding General Election at which the office was filled. In the case of an office that has not appeared on the ballot since its creation, the requisite number of votes shall equal 1 percent of the number of all votes cast for the office that had the least number of votes in the most recent General Election in the jurisdiction in which the write-in candidate is seeking office.
- (b) He/she is an independent nominee pursuant to Part 2 (commencing with section 8300) of the Elections Code.
- (c) He/she has been designated by a party central committee to fill a vacancy on the ballot for the General Election. **§ 8605**



**CAMPAIGN DISCLOSURE FILING SCHEDULE**  
(Government Code §§81000-91015)

<u>PRIMARY ELECTION</u>		
<u>TYPE OF STATEMENT DEADLINE</u>	<u>PERIOD COVERED</u>	<u>FILING</u>
SEMI-ANNUAL	JULY 1-- DECEMBER 31, 2009	JANUARY 31, 2010*
1ST PRE-ELECTION	JANUARY 1 – MARCH 17, 2010	MARCH 22, 2010
2ND PRE-ELECTION	MARCH 18 – MAY 22, 2010	MAY 27, 2010
LATE CONTRIBUTION	MAY 23 – JUNE 7, 2010	WITHIN 24 HOURS OF RECEIPT OF \$1,000
SEMI-ANNUAL	MAY 23, 2010 – JUNE 30, 2010	JULY 31, 2010*
<u>GENERAL ELECTION</u>		
SEMI-ANNUAL	JANUARY 1 – JUNE 30, 2010	JULY 31, 2010*
1ST PRE-ELECTION	**JULY 1 – SEPTEMBER 30, 2010	OCTOBER 5, 2010
2ND PRE-ELECTION	OCTOBER 1 - OCTOBER 16, 2010	OCTOBER 21, 2010
LATE CONTRIBUTION	OCTOBER 17 - NOVEMBER 1, 2010	WITHIN 24 HOURS OF RECEIPT OF \$1,000
SEMI-ANNUAL	OCTOBER 17- DECEMBER 31, 2010	JANUARY 31, 2011

\*If due date falls on a Saturday, Sunday, or holiday, use the next business day.

\*\*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.

**FAILURE TO FILE OR LATE FILING OF CAMPAIGN DISCLOSURE STATEMENTS COULD RESULT IN MONETARY FINES.**

**The second pre-election statements must be sent by personal or guaranteed overnight delivery. All other type of statements (first pre-election and semi-annual) may be sent by first class mail.**

Campaign statements containing 30 pages or less may be faxed provided that the required original (a copy containing an original signature of the committee treasurer) and the required copies are sent by first-class mail or by guaranteed overnight delivery service within 24 hours of the filing deadline. See information in campaign reporting kit for more details.

For technical questions regarding completion of campaign disclosure forms, please contact:  
 Fair Political Practices Commission  
 428 J Street, Suite 620  
 Sacramento, California 95814  
 1-866-275-3772; www.fppc.ca.gov

## **ALL CANDIDATES ARE REQUIRED TO FILE CAMPAIGN DISCLOSURE STATEMENTS**

For detailed information on Campaign Disclosure Statements see the Campaign Disclosure Manual 1 or 2. The manual is prepared by the Fair Political Practices Commission and it is included in each candidate's campaign reporting kit.

If you plan on spending one thousand dollars (\$1,000) or more in a calendar year, you will receive a campaign reporting kit when you file for office. The kit contains all the necessary forms and instructions for filing your required campaign disclosure statements.

If you plan on spending less than one thousand dollars (\$1,000) in a calendar year, you will receive a form 470 (short form) when you file for office. Every candidate or officeholder who has filed a short form and who thereafter receives contributions or makes expenditures totaling one thousand dollars (\$1,000) or more in a calendar year, shall send written notification to the Secretary of State, the local filing officer, and each candidate contending for the same office within 48 hours of receiving or expending a total of one thousand dollars (\$1,000). The written notification shall revoke the previously filed short form statement. **Gov't. Code § 84206**

If you have questions concerning Campaign Disclosure, you may call (714) 567-7558 for assistance or additional filing forms or you may contact the Fair Political Practices Commission at its website: [www.fppc.ca.gov](http://www.fppc.ca.gov) or call its toll free number: (866) 275-3772.

### **CODE OF FAIR CAMPAIGN PRACTICES**

At the time an individual is issued his/her Declaration of Candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official shall give the individual a blank form of the Code of Fair Campaign Practices and a copy of the provisions of Chapter 5 of Division 20 of the Elections Code. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure as defined in section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of the provisions of Chapter 5 of Division 20 of the Elections Code to the individual filing, in accordance with Title 9, (commencing with section 81000) of the Government Code, an initial campaign statement on behalf of the committee. **§ 20440**

The Registrar of Voters shall accept at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election. **§ 20442**

Every code subscribed to by a candidate for public office pursuant to Chapter 6 of Division 20 of the Elections Code is a public record open for public inspection. **§ 20443**

In no event shall a candidate for public office be required to subscribe to or endorse the code. **§ 20444**

## STATEMENT OF ECONOMIC INTERESTS - FORM 700

**Candidates for State Constitutional Offices, State Senator, Member of the Assembly, Judge, Board of Supervisors, County Treasurer, and District Attorney must file a Statement of Economic Interests (Form 700) no later than when the Declaration of Candidacy is filed or no later than March 12, 2010.**

The candidates listed below are required to file a Statement of Economic Interests during the period for filing a Declaration of Candidacy.

This article is applicable to elected state officers, judges and commissioners of courts of the judicial branch of government, members of the Public Utilities Commission, members of the State Energy Resources Conservation and Development Commission, members of the Fair Political Practices Commission, members of the California Coastal Commission, members of planning commissions, members of the board of supervisors, district attorneys, county counsels, county treasurers and chief administrative officers of counties, mayors, city managers, city attorneys, city treasurers, and chief administrative officers and members of city councils of cities, other public officials who manage public investments, and to candidates for any of these offices at any election.

**Gov't. Code § 87200**

Every candidate for an office specified in Government Code section 87200 other than a justice of an appellate court or the supreme court shall file no later than the final filing date of a Declaration of Candidacy, a statement disclosing his/her investments, his/her interests in real property, and any income received during the immediately preceding 12 months.

The statement shall not be required if the candidate has filed, within 60 days prior to the filing of his/her Declaration of Candidacy, a statement for the same jurisdiction pursuant to Government Code sections 87202 or 87203.

**Gov't. Code § 87201**

### **FILING DATE**

Form 700 is to be completed and returned to the Registrar of Voters office **prior to the deadline to file a Declaration of Candidacy.**

Each candidate will receive a statement of economic interests form and instructions, when issued the Declaration of Candidacy. Any questions regarding your Form 700, contact the following:

Orange County Registrar of Voters  
1300 South Grand Avenue, Building C  
Santa Ana, CA 92705  
P.O.Box 11298  
(714) 567-7558

For technical questions regarding completion of the Form 700, please contact:

Fair Political Practices Commission  
428 J Street, Suite 620  
Sacramento, California 95814  
1-866-askfppc



## POLITICAL ADVERTISEMENT REQUIREMENTS

Any paid political advertisement which 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 or lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement". The 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. **§ 20008**

## SIMULATED BALLOT REQUIREMENTS

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 of 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 this notice in any editorial or other statement appearing in a regularly published newspaper or magazine other than a paid political advertisement.

No simulated ballot or simulated sample ballot 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. **§ 20009**

## ELECTION DAY - POLL WATCHING GUIDELINES

The election process is a public affair and anyone who wishes may observe. However, the vote of the individual citizen is secret, and no one may interfere with a voter's right to cast a secret ballot. Members of the precinct boards are sworn election officials of the County of Orange and have complete responsibility for conducting all phases of the election in their precinct. Certain standards are expected of observers:

- Poll watchers may not interfere in any way with the conduct of the election or with the vote count following the close of the polls. Any person who interferes with the election or with a voter is punishable by imprisonment in the state prison for 16 months or two or three years. **§ 18502**
- The election must be orderly. Do not talk in a loud voice, cause confusion, or congregate inside the polls. Do not ask to use the telephone or other facilities.
- The area between the official table and the voting booths is for voters only and may not be used as an observer post. **§ 14221**
- Poll watchers may not sit at the official table or handle any of the official voting equipment, supplies, or ballots. **§ 14223**
- Poll watchers may not wear candidate badges, discuss candidates, how a voter voted, or bring any campaign material into the polling place. This constitutes electioneering and is illegal. Electioneering may not be conducted within 100 feet of a polling place. The term "100 feet of a polling place" means a distance of 100 feet from the room or rooms in which voters are signing the Roster-Index and casting ballots. The blue "POLLING PLACE 100" signs which are posted outside, indicate the 100 foot boundary for electioneering. Violation of this section is a misdemeanor. **§ 18370**
- No one may be within 100 feet of a polling place while wearing a firearm or a peace officer or security guard uniform except: (1) An unarmed uniformed guard or security personnel who is at the polling place to cast his/her vote; (2) A peace officer who is conducting official business in the course of his/her public employment or who is at the polling place to cast his/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. **§ 18544**
- The Precinct Board will attempt to respond to any reasonable, lawful requests from observers. The Registrar's office has instructed Precinct Officers to ask unruly poll watchers to leave, and to ask for assistance from the local law enforcement agency, if necessary.

## **ELECTION NIGHT RESULTS**

Orange County uses a central location for tallying votes. All ballots are tabulated in the Registrar of Voters Tally Center located at 1300 S. Grand Ave., Bldg. C, Santa Ana.

The vote counting procedure is open to public viewing. Unofficial results are available throughout the evening of the election in the Registrar of Voters office beginning at approximately 8:05 p.m. and continuing until all precinct ballots have been tallied. Results may also be obtained by calling the Registrar of Voters office at (714) 567-7600 or visiting our web site ([www.ocvote.com](http://www.ocvote.com)).



**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF TRAFFIC OPERATIONS  
OUTDOOR ADVERTISING PROGRAM



**STATEMENT OF RESPONSIBILITY FOR TEMPORARY  
POLITICAL SIGNS**

Election Date: \_\_\_\_\_ June \_\_\_\_\_ November Other: \_\_\_\_\_

Candidate's Name: \_\_\_\_\_

Office sought or Proposition Number: \_\_\_\_\_

County where sign(s) will be placed: \_\_\_\_\_

Number of signs to be placed: \_\_\_\_\_

RESPONSIBLE PARTY'S:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number (Include Area Code) \_\_\_\_\_

The undersigned hereby accepts responsibility for the removal of Temporary Political Signs placed pursuant to Section 5405.3 of the Outdoor Advertising Act for the above candidate or proposition.

It is understood and agreed that any Temporary Political Signs placed sooner than ninety (90) days prior to the election and/or not removed within ten (10) days after the election, may be removed by the Department and the responsible party will be billed for any associated removal costs.

\_\_\_\_\_  
SIGNATURE OF RESPONSIBLE PARTY

\_\_\_\_\_  
DATE

Mail Statement of Responsibility to the Appropriate District Office according to the **COUNTY LOCATION** of the Temporary Political Sign(s) (See attached map).

# OUTDOOR ADVERTISING DISPLAY PERMIT APPLICATION



**Department of Transportation**  
Division of Traffic Operations MS-36  
Outdoor Advertising Branch  
P.O. Box 942874  
Sacramento, CA 94274-0001  
(916) 654-6473  
(916) 651-9359 FAX

## PENAL PROVISIONS

- (a) The Legislature finds and declares that the voters of California are entitled to accurate representations in materials that are directed to them in efforts to influence how they vote.
- (b) No person shall publish or cause to be published, with intent to deceive, any campaign advertisement containing a signature that the person knows to be unauthorized.
- (c) For purposes of this section, "campaign advertisement" means any communication directed to voters by means of a mass mailing as defined in Section 82041.5 of the Government Code, a paid television, radio, or 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 Section 84100) of Title 9 of the Government Code.
- (d) For purposes of this section, an authorization to use a signature shall be oral or written.
- (e) Nothing in this section shall be construed to prohibit a person from publishing or causing to be published a reproduction of all or part of a document containing an actual or authorized signature, provided that the signature so reproduced shall not, with the intent to deceive, be incorporated into another document in a manner that falsely suggests that the person whose signature is reproduced has signed the other document.
- (f) Any knowing or willful violation of this section is a public offense punishable by imprisonment in the state prison or in a county jail, or by a fine not to exceed fifty thousand dollars (\$50,000), or by both that fine and imprisonment.
- (g) As used in this section, "signature" means either of the following:
  - (1) A handwritten or mechanical signature, or a copy thereof.
  - (2) Any representation of a person's name, including, but not limited to, a printed or typewritten representation, that serves the same purpose as a handwritten or mechanical signature. Penal Code §115.1

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 such a name to such a petition, is guilty of a felony and is punishable by imprisonment in the state prison for 16 months or two or three years. **§ 18200**

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 one thousand dollars (\$1,000) or by imprisonment in the state prison for 16 months or two or three years or by both such fine and imprisonment. **§ 18201**

Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any nomination paper or Declaration of Candidacy in his/her possession, entitled to be filed under the provisions of this code. **§ 18202**

## PENAL PROVISIONS

(Continued)

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 one thousand dollars (\$1,000) or by imprisonment in the state prison for 16 months or two or three years or by both such fine and imprisonment. **§ 18203**

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 one thousand dollars (\$1,000) or by imprisonment in the state prison for 16 months or two or three years or by both such fine and imprisonment. **§ 18204**

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. **§ 18205**

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 sections 11327 or 13307, with the intent to mislead the voters in connection with his/her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed one thousand dollars (\$1,000) **§ 18351**

No person, on Election Day or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place or an elections official's office:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his/her ballot.
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his/her qualifications except as provided in section 14240.
- (d) Do any electioneering.

As used in this section "100 feet of a polling place or an elections official's office" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Any person who violates any of the provisions of this section is guilty of a misdemeanor. **§ 18370**

No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of an absentee voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he/she knows the absentee voter is voting.



Any person who knowingly violates this section is guilty of a misdemeanor.

This section shall not be construed to conflict with any provisions of the federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by section 18370, or by any other provision of law.

**§ 18371**

No one who holds, or who is seeking election or appointment to, any office shall, directly or indirectly, offer or arrange for any increase in compensation or salary for an employee of a state or local agency in exchange for, or a promise of, a contribution or loan to any committee controlled directly or indirectly by the person who holds, or who is seeking election or appointment to, an office. A violation of this section is punishable by imprisonment in a county jail for a period not exceeding one year, a fine not exceeding five thousand dollars (\$5,000), or by both that imprisonment and fine.

**Gov't. Code § 3205.5**

## SERVICES TO CANDIDATES

### **MAPS**

A set of precinct maps is located on our public counter. If you wish to purchase maps of the district in which you are a candidate, our Map Unit at (714) 567-7586, will supply you with the information needed to order maps.

### **REGISTRATION FORMS**

For candidates and committees wishing to conduct registration drives to register voters, postcard registration forms are available at the Registrar of Voters' office from the Voter Registration Specialist. You may obtain the quantity of registration forms you deem necessary, upon availability. You will be asked to complete a Statement of Distribution form at the time the forms are issued to you. For further information, please call (714) 567-7569.

### **COMPUTER PRODUCTS**

**Registered Voter File:** Candidates may purchase the registered voter file on CD-ROM. The file is in alphabetical sequence and can be ordered with the names of all voters in Orange County or just the voters in a particular city or district. Call (714) 567-7615 for more information. The Registrar of Voters' office does not provide technical support.

**INDICES (WALKING LISTS):** All candidates are entitled to purchase indexes. These are printed lists of registered voters by precinct, listed by address with the street names arranged alphabetically and street numbers in numerical order for a given street name.

Each candidate may purchase up to two copies (sets) of indexes for his/her own use or the use of his/her committee. These may be a complete set, including all precincts within the district in which the candidate is running, or a partial set, including some of the precincts in the district. Indexes sell for 50 cents per thousand names or portion thereof. Indexes may be ordered by filling out the proper form at the Registrar of Voters' office or by writing a letter to the Registrar of Voters' office requesting indexes for a certain district. The cost of the product is payable in advance at the time the product is requested. For further information, please call (714) 567-7615.

The candidate must fill out a written request form containing a signed declaration that the data purchased will be used only for election purposes.

Products are usually available within 3-4 days of placing the order (depending on job scheduling). For further information, please call (714) 567-7615.

### **VOTE-BY-MAIL BALLOT APPLICATIONS**

The Secretary of State shall prepare and distribute to appropriate elections officials a uniform application format for a vote-by-mail voter's ballot which conforms to the requirements of section 3006. All individuals, organizations and groups who distribute applications for an absent voter's ballot shall follow this format. **§ 3007**

If you choose to distribute applications for vote-by-mail ballots, you will be asked to complete a Statement of Distribution Plans before receiving a camera-ready copy of the application. You will be given a list of the application requirements and the Elections Code sections covering penal provisions.