

JIM McCAULEY
COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS

RYAN RONCO
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MAILING ADDRESS:
P.O. Box 5278
AUBURN, CA 95604

PLACER COUNTY CLERK-RECORDER-ELECTIONS

December 26, 2007

Dear Candidate:

This Handbook is intended to assist you in complying with the various requirements and deadlines that accompany a run for political office.

We are all available to assist you in your bid for public office and I encourage you to call upon us if you have any questions on any area of the election.

I invite you to join us at any of the following public sessions in the Elections Division relating to the June 3, 2008 Statewide Direct Primary Election:

February 13	6:30 PM	Candidates' Workshop in Auburn Items to be covered at the workshop will include: candidate statements, F.P.P.C campaign statements, ballot name designations and other questions about the election process.
June 3	7:30 PM	Convene observer panel for explanation of election procedures.
June 3	8:00 PM	Election Night, 1 st summary reports available at 8:00 PM (vote-by-mail ballot & mailed ballot precincts). Polling place summaries to follow.
June 4	8:00 AM	Begin official canvass that includes the manual recount of 1% of the precincts chosen at random.

Sincerely,

Jim McCauley
County Clerk-Recorder-Registrar of Voters

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Dear Officeholders and Candidates:

Thank you for your willingness to serve your community by running for and holding office! The elections process can be confusing for both new candidates and returning officeholders, so the Placer County Elections Division stands ready to assist you and we welcome your questions.

This Handbook is intended to provide general information about the nomination and election of candidates and does not have the force and effect of law, regulation or rule. It is distributed with the understanding that the Elections Division is not rendering legal advice and, therefore, the Handbook is not to be a substitute for legal counsel for the individual using it. In case of conflict, the law, regulation or rule will apply.

The Elections Division is open from 8:00 AM to 5:00 PM, Monday through Friday (excluding holidays). We will also be open the two Saturdays and Sundays before Election Day (Saturday, May 24; Sunday, May 25; Saturday, May 31; Sunday, June 1) from 9:00 AM to 4:00 PM. If you have any questions, please call our office at (530) 886-5650 or visit our website at www.placer.ca.gov/elections.

I wish you the best of luck in your endeavors.

Sincerely,

Jim McCauley
County Clerk-Recorder-Registrar of Voters

Ryan Ronco
Assistant Recorder-Registrar

TABLE OF CONTENTS

<i>Statewide Direct Primary Election Calendar</i> _____	1
<i>Primary and General Elections</i> _____	2
<i>Statewide Direct Primary Election Campaign Disclosure Filing Schedule</i> _____	3
<i>Important Telephone Numbers and Contact Information</i> _____	4
<i>Reporting Elections Violations</i> _____	5
<i>Offices to Appear on the Ballot</i> _____	6
Partisan Offices _____	6
Non-partisan Offices _____	7
<i>Incompatibility of Offices</i> _____	8
<i>Candidate Qualification Information</i> _____	9
General Qualifications to Run for and Hold Public Office _____	9
Qualifications for Specific Offices _____	10
United States Representative – 4 th Congressional District _____	10
State Senator – 1 st District _____	11
State Assembly – 3 rd , 4 th , and 5 th Districts _____	12
County Central Committee/County Council _____	13
Superior Court Judge _____	14
Board of Supervisors – 3 rd , 4 th , and 5 th Districts _____	15
<i>Filing for Office</i> _____	16
Nomination Process _____	16
Nomination Document Overview _____	17
Petition in Lieu of Filing Fee _____	19
Declaration of Intention _____	22
Declaration of Candidacy _____	22
Ballot Designation Worksheet _____	24
Nomination Petition _____	25
Candidate Statement of Qualifications _____	27
Code of Fair Campaign Practices _____	31
Independent Candidates _____	33
Write-in Candidates _____	34
Appearing on the Ballot _____	35

<i>Financial and Campaign Disclosure Information</i> _____	36
Public Record _____	36
Termination of Filing Requirements _____	36
Contributions/Expenditures _____	36
Campaign Funds _____	36
Audits _____	37
Late Fees/Fines/Penalties _____	37
Definitions _____	37
Common Filing Requirements _____	38
When and Where to File for Local Candidates _____	39
Conflict of Interest _____	39
Form Descriptions _____	40
<i>General Campaign Information</i> _____	41
Political Signs _____	41
Voter Registration Drives _____	43
Distributing Vote by Mail Ballot Applications _____	44
Mass Mailings _____	47
Political Advertisements _____	48
Placer County Poll Watchers Guide _____	48
Electioneering near Polling Places _____	50
Electioneering while a Vote by Mail Ballot is being Voted _____	50
News Media Exit Polls _____	50
Canvassing the Election _____	50
<i>Appendix A: Services to Candidates</i> _____	51
Precinct Indexes (a.k.a. Walking Lists) _____	51
Registered Voter List (a.k.a. Alpha Lists) _____	51
Registered Voter Compact Disc _____	51
Customer Mailing Labels _____	51
Precinct/District Maps _____	52
Consolidation Lists _____	52
Polling Place Lists _____	52
Vote by Mail Voter Information _____	52

<i>Appendix B: Relevant Code Sections</i>	53
Campaign Materials	53
Distributing Polling Place Information	54
Solicitation of Funds	54
Penal Provisions Relating to the Nomination of Candidates	55
Voter Registration	56
Vote by Mail Voting	57
Use of Surplus Funds	58

Statewide Direct Primary Election Calendar

DATE	DAYS BEFORE ELECTION	EVENT
December 28, 2007	158	Signature in lieu collection period begins for all candidates
January 28, 2008	127	First day judicial candidates may file the Declaration of Intention
January 31, 2008	124	Last day to file the semi-annual campaign statement
February 6, 2008	118	Close of regular Declaration of Intention filing period
February 11, 2008	113	Close of the extended filing period for the Declaration of Intention for judicial candidates
February 11, 2008	113	Candidate filing begins
February 21, 2008	103	Signature in lieu collection period closes for all candidates
March 7, 2008	88	Close of regular candidate-filing period
March 12, 2008	83	Close of extended candidate-filing period
March 13, 2008	82	Random alphabet draw to be held at 11 AM to determine ballot order of candidates' names
April 7, 2008	57	Write-in candidate-filing period begins
April 24, 2008	40	Last day to file the 1 st pre-election campaign statement
April 24, 2008	40	Sample ballots may begin to be mailed
May 5, 2008	29	First day to process vote by mail ballot requests
May 19, 2008	15	Last day to register for this election
May 20, 2008	14	Write-in candidate filing period ends
May 22, 2008	12	Last day to file the 2 nd pre-election campaign statement
May 27, 2008	7	Last day to request a vote by mail ballot by mail
June 3, 2008	0	Election Day

Primary and General Elections

Primary Elections

A primary election is a nominating election in which the voters of each political party choose the nominee who will run against the other political parties' nominees in the general election. For example, Republicans run against other Republicans and Democrats run against other Democrats for their respective party's nomination. In this type of election, voters are choosing a candidate to represent their party. They are not choosing the officeholder for a partisan office yet. For a list of qualified political parties, please contact the Placer County Elections Division or visit the Secretary of State's website at www.sos.ca.gov.

California has a Modified Closed Primary system that restricts voters affiliated with a political party to the choice of candidates of that political party. Under California law, political parties may determine whether to allow non-partisan voters the opportunity to cast a ballot for their party's candidates. Non-partisan voters may also choose a non-partisan ballot that contains only non-partisan races and measures.

In Placer County, elected officials for county and judicial offices are elected during a primary election. Because these are non-partisan offices, the party affiliation of the candidates and the voters is not relevant to the races. All registered voters living in the district are eligible to vote for the office. If none of the candidates receives a simple majority, the two candidates with the highest number of votes will run-off in the general election.

General Elections

During the general election, voters choose their elected officials from the candidates who were nominated by their parties in the primary (along with any Independent candidates who may have filed for office). All voters living in the same precinct will vote the same ballot regardless of party affiliation. The candidate receiving the highest number of votes in the general election will serve in the office for which he filed.

Voters will also be electing representatives for their local districts in the general election. These offices will only appear on the ballot if the number of candidates exceeds the number of seats available. If the district race appears on the ballot, the candidates with the highest number of votes will be elected to fill the seats. If a district office does not have more candidates than there are seats to be filled, the candidates will be appointed in lieu of election and the office will not appear on the ballot.

Statewide Direct Primary Election

Campaign Disclosure Filing Schedule

Filing Schedule for:

- Candidates and ballot measures to be listed on the June 3, 2008 ballot,
- Primarily Formed Committee to Support/Oppose Candidates and Ballot Measures to be Listed on the June 3, 2008 ballot, and
- General Purpose Recipient Committees.

FILING DEADLINE	TYPE OF STATEMENT	PERIOD COVERED BY STATEMENT	METHOD OF DELIVERY
January 31, 2008	Semi-annual	¹ - 12/31/07	<ul style="list-style-type: none"> • Personal Delivery • First Class Mail
April 24, 2008	1 st Pre-election	1/1/08-4/19/08	<ul style="list-style-type: none"> • Personal Delivery • First Class Mail
May 22, 2008	2 nd Pre-election	4/20/08-5/16/08	<ul style="list-style-type: none"> • Personal Delivery • Guaranteed Overnight Service
Within 24 Hours	Late Contributions ² and Late Independent Expenditures ³ of \$1,000 or More	5/17/08-6/2/08	<ul style="list-style-type: none"> • Personal Delivery • Guaranteed Overnight Service • Fax
July 31, 2008	Semi-annual	5/17/08-6/30/08	<ul style="list-style-type: none"> • Personal Delivery • First Class Mail

Footnotes:

1. The period covered by any statement begins on the day after the closing date on the last statement filed, or January 1, if no previous statement has been filed.
2. The recipient of a late *in-kind* contribution must file a late contribution report within 48 hours from the time the *in-kind* contribution is received.
3. A controlled committee of a candidate may not make an independent expenditure to support or oppose another candidate.

Additional Notes:

- Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, there is no provision in the law for extending a filing deadline. Late statements are subject to a \$10 per day late fine.
- All statements are public record.
- Local jurisdictions may impose contribution limits and additional filing requirements.

Important Telephone Numbers and Contact Information

PLACER COUNTY ELECTIONS DIVISION	<p>Website: www.placer.ca.gov/elections Telephone: (530) 886-5650 or toll-free in California (800) 824-8683 Contact us for questions regarding the nomination process or any information listed in the handbook.</p>
SECRETARY OF STATE	<p>Website: www.sos.ca.gov Political Reform Division (916) 653-6224 Contact the Political Reform Division for questions concerning Form 501 or Form 410, political reform, committee ID numbers, and termination of recipient committees. Elections Division (916) 657-2166 Contact the Elections Division for questions concerning the Elections Code, certified list of candidates, and election results for state and federal offices.</p>
FAIR POLITICAL PRACTICES COMMISSION	<p>Website: www.fppc.ca.gov Telephone: (916) 322-5660 or (866) 275-3772 Fax: (916) 322-0886 Technical Assistance Division Contact the Technical Assistance Division for questions concerning campaign disclosure, conflict of interest disclosure and state contribution limits. Legal Division Contact the Legal Division for questions concerning conflict of interest disqualification and proper use of campaign funds. Enforcement Division Contact the Enforcement Division for questions concerning how to file a complaint under the Political Reform Act.</p>
FEDERAL ELECTIONS COMMISSION	<p>Website: www.fec.gov Telephone: (800) 424-9530 Contact the Federal Elections Commission for questions concerning federal campaign disclosure requirements or contributions from national banks, national corporations, and foreign nationals.</p>
STATE FRANCHISE TAX BOARD	<p>Website: www.ftb.ca.gov Telephone: (800) 852-5711 or (800) 338-0505 Contact the Franchise Tax Board for questions concerning committee tax status, tax ID numbers, charitable non-profit groups, or any other tax related questions.</p>
INTERNAL REVENUE SERVICE	<p>Website: www.irs.ustreas.gov Telephone: (800) 829-1040 Contact the Internal Revenue Service for information related to federal taxpayer ID numbers or other tax related questions.</p>

Reporting Elections Violations

Occasionally, our office receives calls regarding election violations or fraud. However the Placer County Elections Division is not an enforcement agency, so we are unable to respond to most complaints. Reports of violations should be referred to the agencies listed below, or you may report the violations to our office and we will forward your complaint to the appropriate agency(ies).

- False or misleading campaign materials: No agency enforcement; these issues are dealt with in court.
- Violations of the Political Reform Act (i.e. mass mailing requirements, slate mailers, campaign disclosure, proper use of campaign funds, disclosure of economic interests): Contact the Fair Political Practices Commission.
- Election fraud: Contact the Elections Division, the District Attorney, or the California Secretary of State.
- Unlawful use of public funds, violations of the Elections Code, the Penal Code, or any other laws other than the Political Reform Act: Contact the District Attorney, the Grand Jury, or the California State Attorney General.
- Federal campaigns (Congress, U.S. Senate, President of the United States, etc.): Contact the Federal Elections Commission.
- Open meeting laws (Brown Act): Contact the District Attorney or the California State Attorney General.
- Local ordinances: Contact your local city attorney or the District Attorney.
- Vandalism: Contact your local police department or the sheriff's department.
- Requirements concerning campaign signs: See the list of contacts in the section "General Campaign Information."

FEDERAL / STATE / LOCAL ENFORCEMENT OFFICES	
<p>Fair Political Practices Commission P.O. Box 807 (95812-0807) 428 J Street, Suite 450 Sacramento CA 95814 Phone: (866) 275-3772 Fax: (916) 322-0886 Internet: www.fppc.ca.gov</p> <p>Reporting Enforcement Violations (800) 561-1861</p>	<p>Secretary of State Political Reform Division 1500 11th Street, Room 495 Sacramento CA 95814 Phone: (916) 653-6224 Fax: (916) 653-5045 Internet: www.sos.ca.gov</p> <p>Elections Division (916) 657-2166</p>
<p>Federal Election Commission 999 E Street, NW Washington DC 20463 Phone: (800) 424-9530 Internet: www.fec.gov</p>	<p>Attorney General P.O. Box 944255 Sacramento CA 94244-2550 Phone: (916) 445-9555 / (800) 952-5225 Internet: www.caag.state.ca.us</p>
<p>Placer County District Attorney's Office 11562 B Avenue Auburn CA 95603 Phone: (530) 889-7000</p>	<p>Placer County Grand Jury 11490 C Avenue Auburn CA 95603 Phone: (530) 886-5200</p>

Offices to Appear on the Ballot

Partisan Offices

FEDERAL OFFICES					
OFFICE TITLE	LENGTH OF TERM	NEW TERM BEGINS			
United States Congress, 4 th District Officeholder/Party: John T. Doolittle (R)	2 years	January 3, 2009 (12:00 noon)			
STATE LEGISLATURE					
State Senate, 1 st District Officeholder/Party: Dave Cox (R)	4 years	December 1, 2008			
State Assembly, 3 rd District Officeholder/Party: Rick Keene* (R)	2 years	December 1, 2008			
State Assembly, 4 th District Officeholder/Party: Ted Gaines (R)	2 years	December 1, 2008			
State Assembly, 5 th District Officeholder/Party: Roger Niello (R)	2 years	December 1, 2008			
COUNTY CENTRAL COMMITTEE** (Elected by Supervisorial Districts)					
JURISDICTION	PARTY/NUMBER TO BE ELECTED			LENGTH OF TERM	NEW TERM BEGINS
Supervisorial District	Democratic	Republican	American Independent	2 years	Varies by Party
1 st District	4	4	5		
2 nd District	5	6	7		
3 rd District	4	4	4		
4 th District	4	4	5		
5 th District	4	3	6		
COUNTY CENTRAL COMMITTEE/COUNTY COUNCIL** (Elected Countywide)					
JURISDICTION	PARTY			LENGTH OF TERM	NEW TERM BEGINS
Countywide	Green	Libertarian	Peace & Freedom	2 years	Varies by Party
Number to be Elected	7	7	7		

*Prohibited from seeking reelection due to term limits.

**These figures are estimates. Please contact the Elections Division after January 31, 2008 for the Democratic and Republican parties and after February 9, 2008 for all other parties.

Non-partisan Offices

JUDGE OF THE SUPERIOR COURT			
OFFICE TITLE	OFFICEHOLDER	LENGTH OF TERM	NEW TERM BEGINS
Superior Court Judge	Charles Wachob	6 years	January 5, 2009
COUNTY OFFICES			
OFFICE TITLE	OFFICEHOLDER	LENGTH OF TERM	NEW TERM BEGINS
Supervisor, District 3	Jim Holmes	4 years	January 5, 2009
Supervisor, District 4	Kirk Uhler		
Supervisor, District 5	Bruce Kranz		

Incompatibility of Offices

The Elections Code prohibits candidates from filing for more than one district office (or terms of office for the same district) or from filing for more than one school district office (including community college districts and county boards of education) at the same election. There may also be instances in which two offices are considered incompatible even though the Elections Code does not prohibit a candidate from filing for both offices. If a candidate is elected to two incompatible offices, she must resign from one of the offices. [E.C. Sec. 10510, 10603]

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

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

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

1. The offices of city council member and school district board member where the city and the school district have territory in common;
2. The offices of high school district trustee and trustee of an elementary school district which is wholly contained within the geographic boundaries of the high school district;
3. The offices of water district director and a city council member; and
4. The offices of a water district director and a school district trustee having territory in common.

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

Candidate Qualification Information

Anyone seeking to hold office must meet certain qualifications. While there are minimum requirements that apply to every office, some offices may require additional qualifications. Candidates are responsible for determining whether or not they are eligible to hold public office. The Elections Division will provide information regarding the qualifications to hold specific offices to interested individuals and will verify the candidates' qualifications to the best of our ability.

General Qualifications to Run for and Hold Public Office

Age/Citizenship

A person is incapable of holding a civil office if at the time of her election or appointment she is not 18 years of age and a citizen of the state. [Gov. Code Sec. 1020]

Registered Voter/District Resident

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. [E.C. Sec. 201]

Conviction of Crimes

A person is disqualified from holding any office upon conviction of designated crimes as specified in the Constitution and laws of the State. [Gov. Code Sec. 1021]

Filing for More than One Office

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. [E.C. Sec. 8003(b)]

A person may file nomination papers for county central committee and another public office, as a central committee member is not an "office" within the meaning of Section 8003(b). [SOS Opinion No. 82 SOS 1]

Partisan Office

No declaration of candidacy for a partisan office or for membership on 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 has been eligible to vote in the state, the candidate is shown by his affidavit to be affiliated with the political party the nomination of which he 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 seeks within 12 months immediately prior to the filing of the declaration. [E.C. Sec. 8001]

Qualifications for Specific Offices

United States Representative – 4th Congressional District

QUALIFICATIONS	The candidate shall be at least 25 years of age, a U.S. citizen for seven years and a resident of California when elected. [<i>U.S. Constitution, Art. 1, Sec. 2.2</i>]		
HOW ELECTED	The candidate with the most votes in each party at the June Primary Election will run against the other parties' candidates (along with qualified write-in and independent candidates) in the November General Election.		
SALARY	\$165,200.00		
FILING FEE	\$1,652.00 (1% of the salary)		
CANDIDATE'S STATEMENT OF QUALIFICATIONS	Not applicable		
NUMBER OF NOMINATION SIGNATURES	At least 40 valid signatures are required, up to 60 may be submitted.		
PETITIONS IN LIEU OF FILING FEE	Party	In Lieu Signatures	Value of Each Signature
	Democratic	3,000	\$00.55067
	Republican	3,000	\$00.55067
	American Independent	150	\$11.01333
	Green	150	\$11.01333
	Libertarian	150	\$11.01333
	Peace & Freedom	82	\$20.14634
IMPORTANT DATES	Date	Event	
	December 28 to February 21	Petition in Lieu of Filing Fee	
	February 11 to March 7	Declaration of Candidacy and Nomination Papers	
	February 22 to March 7	Supplemental Filing Period for Petition in Lieu of Filing Fee	
NEW TERM BEGINS	January 5, 2009		
LENGTH OF TERM	2 Years		

State Senator – 1st District

QUALIFICATIONS	The candidate shall be a U.S. citizen and a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person. [E.C. Sec. 201] The candidate may not serve more than two terms in the state senate. [<i>Cal. Constitution, Art. IV, Sec.2</i>]	
HOW ELECTED	The candidate with the most votes in each party at the June Primary Election will face the other parties' candidates (along with qualified write-in and independent candidates) in the November General Election.	
SALARY	\$116,208.00	
FILING FEE	\$1,162.08 (1% of the salary)	
CANDIDATE'S STATEMENT OF QUALIFICATIONS	\$1,210 (250 words)	
NUMBER OF NOMINATION SIGNATURES	At least 40 valid signatures are required, up to 60 may be submitted.	
PETITIONS IN LIEU OF FILING FEE	Party	In Lieu Signatures Value of Each Signature
	Democratic	3,000 \$0.38736
	Republican	3,000 \$0.38736
	American Independent	150 \$7.74720
	Green	150 \$7.74720
	Libertarian	150 \$7.74720
	Peace & Freedom	129 \$9.00837
IMPORTANT DATES	Date	Event
	December 28 to February 21	Petition in Lieu of Filing Fee
	February 11 to March 7	Declaration of Candidacy and Nomination Papers
	February 22 to March 7	Supplemental Filing Period for Petition in Lieu of Filing Fee
NEW TERM BEGINS	December 1, 2008	
LENGTH OF TERM	4 years	

Candidate Qualification Information

State Assembly – 3rd, 4th, and 5th Districts

QUALIFICATIONS	The candidate shall be a U.S. citizen and a registered voter and otherwise qualified to vote for that office at the time the nomination papers are issued to the person. [E.C. Sec. 201] The candidate may not serve more than three terms in the State Assembly. [Cal. Constitution, Art. V, Sec. 11]								
HOW ELECTED	The candidate with the most votes in each party at the June Primary Election will face the other parties' candidates (along with qualified write-in and independent candidates) in the November General Election.								
SALARY	\$116,208.00								
FILING FEE	\$1,162.08 (1% of the salary)								
CANDIDATE'S STATEMENT OF QUALIFICATIONS	3rd District \$300 250 words			4th District \$1,620 250 words			5th District \$270 250 words		
NUMBER OF NOMINATION SIGNATURES	At least 40 valid signatures are required, up to 60 may be submitted.								
PETITIONS IN LIEU OF FILING FEE	Party		In Lieu Signatures				Value of Each Signature		
	Democratic		1,500				\$0.77472		
	Republican		1,500				\$0.77472		
	Dist.	American Independent		Green		Libertarian		Peace & Freedom	
		Max Sigs	Value	Max Sigs	Value	Max Sigs	Value	Max Sigs	Value
	3 rd	150	\$7.74720	150	\$7.74720	150	\$7.74720	78	\$14.89846
	4 th	150	\$7.74720	150	\$7.74720	150	\$7.74720	61	\$19.05049
	5 th	150	\$7.74720	150	\$7.74720	127	\$9.15024	81	\$14.34667
IMPORTANT DATES	Date				Event				
	December 28 to February 21				Petition in Lieu of Filing Fee				
	February 11 to March 7				Declaration of Candidacy and Nomination Papers				
February 22 to March 7				Supplemental Filing Period for Petition in Lieu of Filing Fee					
NEW TERM BEGINS	December 1, 2008								
LENGTH OF TERM	2 years								

County Central Committee/County Council

QUALIFICATIONS	The candidate shall be a registered voter of the party and a resident of the district. [E.C. Sec. 201, 7209, 7407, 7654, 7852]	
HOW ELECTED	The candidates receiving the highest number of votes (up to the number of members to be elected from each district) will be elected to that party's County Central Committee.	
SALARY	None	
FILING FEE	None	
CANDIDATE'S STATEMENT OF QUALIFICATIONS	Not applicable	
NUMBER OF NOMINATION SIGNATURES	Democratic Republican American Independent Green Libertarian Peace and Freedom	At least 20, not more than 40 At least 20, not more than 40 At least 20, not more than 40 At least 20, not more than 30 At least 20, not more than 30 5 (2% affiliated registered voters)
PETITIONS IN LIEU OF FILING FEE	Not applicable	
IMPORTANT DATES	Date February 11 to March 7	Event Declaration of Candidacy and Nomination Papers
NEW TERM BEGINS	Varies by party	
LENGTH OF TERM	2 years	

Superior Court Judge

QUALIFICATIONS	The candidate shall be a U.S. citizen, a registered voter, and a member of the State Bar for ten years or have served as a judge of a California court of record for ten years immediately preceding the election. [<i>Cal. Constitution, Art. VI, Sec. 15</i>]	
HOW ELECTED	The names of the unopposed judicial incumbents do not appear on the June Primary Election ballot. They will be declared elected after the November General Election. For a contested office, the candidates' names will appear on the June Primary Election ballot. If one candidate receives over 50% of the vote, she shall be elected in the Primary. If no one receives over 50% of the vote, the top two candidates will run off in the November General Election. [E.C. Sec. 8140, 8141, 8203]	
SALARY	\$171,648.00	
FILING FEE	\$1,716.48	
CANDIDATE'S STATEMENT OF QUALIFICATIONS	\$1,920 (200 words)	
NUMBER OF NOMINATION SIGNATURES	At least 20 valid signatures are required, up to 40 may be submitted.	
PETITIONS IN LIEU OF FILING FEE	Signatures Required to Waive Filing Fee: 6,866 Value per Signature: \$0.25	
IMPORTANT DATES	Date December 28 to February 21 January 28 to February 6 February 11 to March 7 February 22 to March 7	Event Petition in Lieu of Filing Fee Declaration of Intention Declaration of Candidacy and Nomination Papers Supplemental Filing Period for Petition in Lieu of Filing Fee
NEW TERM BEGINS	January 5, 2009	
LENGTH OF TERM	6 years	

Board of Supervisors – 3rd, 4th, and 5th Districts

QUALIFICATIONS	The candidate shall be a U.S. citizen and a registered voter of the district which he seeks to represent for at least 30 days immediately preceding the deadline for filing nomination papers for the office of supervisor, and shall reside in the district during his incumbency. [Gov. Code Sec. 25041]		
HOW ELECTED	The candidate who receives a majority (50%) of all votes in the June Primary Election is elected. If no one receives the majority of the vote, the top two candidates will run off in the November General Election. In the event there are no more than two candidates for one office, the office shall be voted upon at the Primary Election only. [E.C. Sec 8140, 8141] Each member of the board of supervisors shall be elected by the district which he represents and not at-large. [Gov. Code Sec. 25040, Placer County Code Sec. 1.08.010]		
SALARY	\$30,000		
FILING FEE	\$300.00		
CANDIDATE'S STATEMENT OF QUALIFICATIONS	3rd District \$440 (200 words)	4th District \$500 (200 words)	5th District \$420 (200 words)
NUMBER OF NOMINATION SIGNATURES	At least 20 valid signatures are required, up to 40 may be submitted.		
PETITIONS IN LIEU OF FILING FEE	Signatures Required to Waive Filing Fee: 1,200 Value per Signature: \$0.25		
IMPORTANT DATES	Date December 28 to February 21 February 11 to March 7 February 22 to March 7	Event Petition in Lieu of Filing Fee Declaration of Candidacy and Nomination Papers Supplemental Filing Period for Petition in Lieu of Filing Fee	
NEW TERM BEGINS	January 5, 2009		
LENGTH OF TERM	4 years		

Filing for Office

All candidates are required to complete the nomination process to have their names placed on the ballot. Candidates should pay close attention to filing deadlines, as they cannot be extended under any circumstances. Nomination papers for the Statewide Direct Primary Election must be filed by 5:00 PM on the last day of candidate filing, March 7, 2008. If an incumbent fails to file, the candidate-filing period extends for all other individuals until March 12, 2008.

Nomination Process

Where to Obtain Documents

Nomination papers are obtained from the Elections Division. The candidate or the candidate's representative must come to the Elections Division's office *in person*. The address for the Elections Division is 2956 Richardson Drive, Auburn, California. Please plan to visit us during regular business hours, as election law does not permit us to extend our hours for the purposes of candidate filing.

When a candidate comes into our office, Elections Division staff will issue candidate filing and campaign disclosure documents. The Elections Division provides a receipt to ensure that that all of the paperwork has been issued and fully explained to the candidate. The receipt also acts as a checklist when the candidate is ready to file.

Filing Log

When a candidate comes into the Elections Division to have nomination papers issued, she will be entered onto the filing log. The filing log contains the candidate's name, address, telephone number, and which documents have been issued and filed. This information may be provided to the press and the public.

Authorization for Candidate's Representative

A candidate may authorize another individual to obtain or deliver nomination papers on his behalf. A candidate's representative must have written authorization that is signed by the candidate. The candidate's signature will be verified before any nomination papers are issued. The authorization must contain the following information:

- Name of the candidate;
- The office the candidate is seeking;
- The candidate's contact information, (i.e., address and telephone);
- The candidate's residential address;
- A statement that the candidate is aware of the candidate filing deadlines; and
- The candidate's original or "wet" signature.

Candidate cannot Withdraw

Once a candidate completes paperwork, she cannot withdraw from the race. Election law requires that any individual who has correctly filed paperwork must remain in the race and take office if elected. [E.C. Sec. 8800]

Nomination Document Overview

Petition in Lieu of Filing Fee

The Petition in Lieu of Filing Fee is the document on which candidates obtain signatures to reduce or eliminate the filing fee. [E.C. Sec. 8106]

Declaration of Intention

The Declaration of Intention is a form judicial candidates use to indicate that they intend to file for office. [E.C. Sec. 8023]

Declaration of Candidacy

The Declaration of Candidacy is the document on which one declares oneself a candidate for a particular office, provides a ballot name and occupational ballot designation, provides a residential or business address and telephone number, and states that one is qualified for the office and will not withdraw from the race. [E.C. Sec. 8040]

Ballot Designation Worksheet

The Ballot Designation Worksheet allows candidates to support the occupational ballot designation that they request. Candidates will also be able to use this form to provide alternate ballot designations in case the proposed occupational ballot designation is determined to be unacceptable. Beginning January 1, 2008, the Ballot Designation Worksheet will be mandatory for any candidate wishing to have an occupation appear on the ballot. [E.C. Sec. 13107, 13107.5]

Nomination Petition

The Nomination Petition is the document on which a circulator obtains signatures nominating an individual to run for office. [E.C. Sec. 8041]

Candidate Statement of Qualifications

The Candidate Statement of Qualifications is a voluntary statement that a candidate may publish in the sample ballot pamphlet at the candidate's expense. It is subject to word count limits and may only contain information about the candidate publishing the statement. [E.C. Sec. 13307, 13308]

Code of Fair Campaign Practices

The Code of Fair Campaign Practices is a voluntary document that candidates may sign and file to indicate they intend to follow practices based upon principles of decency, honesty and fair play. Elections Code Section 20400 states, "The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths and distortions."

Overview of Candidate-Filing Forms

OFFICE	PETITION IN LIEU OF FILING FEE (OPTIONAL)	DECLARATION OF INTENTION (REQUIRED)	DECLARATION OF CANDIDACY (REQUIRED)	BALLOT DESIGNATION WORKSHEET (REQUIRED)	NOMINATION PETITION (REQUIRED)	CANDIDATE STATEMENT OF QUALIFICATIONS (OPTIONAL)	CODE OF FAIR CAMPAIGN PRACTICES (OPTIONAL)
U.S. REPRESENTATIVE	X		X	X	X		
STATE SENATE	X		X	X	X	X	X
STATE ASSEMBLY	X		X	X	X	X	X
COUNTY CENTRAL COMMITTEE/ COUNTY COUNCIL			X	X	X		X
SUPERIOR COURT JUDGE	X	X	X	X	X	X	X
COUNTY BOARD OF SUPERVISORS	X		X	X	X	X	X

Petition in Lieu of Filing Fee

The purpose of the Petition in Lieu of Filing Fee (PIL) is to allow the candidate to collect signatures to be counted toward the payment of the filing fee. The value of each signature is prorated, eliminating the necessity to collect the maximum number of signatures. For example, each valid signature filed for a county office will reduce the filing fee by 25 cents. The PIL is optional. If a candidate chooses, she may skip this part of the process and pay the filing fee in full.

Issuing the Petition in Lieu of Filing Fee

The PIL is issued by the county elections office where you will file your Declaration of Candidacy (usually your county of domicile). The first day to issue the PIL for the June 3, 2008 Statewide Direct Primary Election is December 28, 2007. When a candidate comes to the Elections Division, our staff will issue the petition and give the candidate a two-sided master PIL form that may be used to make copies. *Each copy needs to be double-sided* like the master. Do not copy the front and back onto separate sheets of paper.

Multi-County Offices

If the candidate is seeking a multi-county office, it is important that each petition contains signatures from voters who are registered in the same county. The petition will be filed with the county of residence of the signers. The Placer County Elections Division only has access to information for voters who are registered in Placer County. For example, if we receive a PIL with signatures of voters who reside in Nevada County or Sacramento County, we have to deem those signatures invalid. [E.C. Sec. 8106(b)(4)]

Qualifications for Signers

A signer must be a registered voter who lives in the district and is otherwise eligible to vote for the office. *In a primary, eligibility includes the voter's party affiliation for partisan offices.* Under the modified closed primary system, the political parties choose whether or not unaffiliated voters may vote on their ballots and for which office they may nominate candidates. After the parties have given their approval, unaffiliated voters may sign petitions for the affected candidates. *If an office is non-partisan, any voter in the district may sign the PIL regardless of party affiliation.* [E.C. Sec. 8106(b)(1)]

When signing the petition, the voter needs to include his:

- Printed full name (if we cannot read the handwriting or determine who the voter is, the signature is invalid);
- Residential address (P.O. Boxes and mailing addresses invalidate the signature); and
- Signature in his own handwriting (spouses and individuals with power attorney may not sign for the voter).

Voters may only sign PIL's for one candidate for each office. If a voter signs more than one PIL, the signatures will be counted towards the filing fee of the first candidate that files the signature. [E.C. Sec. 8106(b)(2)]

Qualifications for Circulators

The circulator shall be a registered voter of the district or political subdivision in which the candidate is to be elected. The circulator shall serve within the county in which she resides. [E.C. Sec. 8106(b)(4)]

The circulator also needs to complete the "Affidavit of Circulator" located on the back of the PIL. The circulator will need to fill in the appropriate blank spaces in her own hand. The information needed includes the dates the signatures were obtained, the execution date and place, her printed name and residential address, and signature. Only one circulator is allowed per petition. If the "Affidavit of Circulator" is not completed, we cannot file the PIL.

When to File

The last day to file PIL signatures is February 21, 2008 or the day the candidate pulls his nomination papers, whichever comes first. Placer County allows candidates to file signatures as they are collected. At the time of filing, the candidate will be given a receipt reflecting the number of signatures and the date they were filed. Please note that other counties may require that all signatures be filed at the same time. The Elections Division will verify the signatures and notify the candidate of any deficiencies (invalid signatures) within ten days.

Supplemental Signatures

Candidates have the option to circulate supplemental petitions in lieu and submit additional signatures to replace those that were deemed invalid in their initial filings. The sum of the valid signatures from the initial filing and the supplemental filing cannot exceed the total number of signatures submitted from the initial filing. For example, if Jane Doe wished to run for State Assembly, she can submit 1,500 signatures to eliminate the filing fee. She submitted 1,200 signatures in her initial filing. 1,000 were sufficient and 200 were invalid. Jane Doe may submit supplemental signatures, but only 200 can be counted valid. The last day to file supplemental PIL signatures is March 7, 2008. [E.C. Sec. 8106(b)(3)]

When to Pay the Filing Fee

Candidates may use their PIL signatures to eliminate *or* reduce the filing fee. If the candidate uses PIL signatures to reduce the filing fee, then he will pay the remaining balance of the filing fee. Filing fees are non-refundable.

Filing fees for federal and state offices are paid to the Secretary of State at the time nomination papers are issued. The Elections Division will forward the check to the Secretary of State for the candidate. If the candidate intends to submit supplemental PIL signatures, she can write a maximum amount on the check (e.g., "not to exceed \$1,100") and the Secretary of State's Office will fill in the amount.

Candidates for local office pay their filing fees at the time they file their Declaration of Candidacy. The filing fee is paid to the Placer County Clerk.

Number of Signatures per Office

OFFICE	FILING FEE	NUMBER OF SIGNATURES	PRORATED VALUE OF SIGNATURES
U.S. Representative	\$1,652.00	Democratic 3,000	\$0.55067
		Republican 3,000	\$0.55067
		American Independent 150	\$11.01333
		Green 150	\$11.01333
		Libertarian 150	\$11.01333
		Peace and Freedom 82	\$20.14634
State Senate	\$1,162.08	Democratic 3,000	\$0.38736
		Republican 3,000	\$0.38736
		American Independent 150	\$7.74720
		Green 150	\$7.74720
		Libertarian 150	\$7.74720
		Peace and Freedom 129	\$9.00837
State Assembly	\$1,162.08	3rd District	
		Democratic 1,500	\$0.77472
		Republican 1,500	\$0.77472
		American Independent 150	\$7.74720
		Green 150	\$7.74720
		Libertarian 150	\$7.74720
		Peace and Freedom 78	\$14.89846
		4th District	
		Democratic 1,500	\$0.77472
		Republican 1,500	\$0.77472
		American Independent 150	\$7.74720
		Green 150	\$7.74720
		Libertarian 150	\$7.74720
		Peace and Freedom 61	\$19.05049
		5th District	
		Democratic 1,500	\$0.77472
		Republican 1,500	\$0.77472
		American Independent 150	\$7.74720
Green 150	\$7.74720		
Libertarian 127	\$9.15024		
Peace and Freedom 81	\$14.34667		
Superior Court Judge	\$1,716.48	6,866	\$0.25
County Board of Supervisors	\$300.00	1,200	\$0.25

Declaration of Intention

Only judicial candidates are required to use this form, which was reinstated in 2007. The Declaration of Intention (DOI) is filed between January 28, 2008 and February 6, 2008 with the Elections Division. If the incumbent fails to file a DOI, all other candidates have until February 11, 2008 to file it. A judicial candidate's name cannot appear on the ballot if the DOI has not been filed. The declaration includes the candidate's name, the office, the seat number (if applicable), and the election date. [E.C. Sec. 8023]

Declaration of Candidacy

The Declaration of Candidacy (DOC) is the form that makes an individual a candidate and is required for all elective offices. In addition to declaring his candidacy, the candidate will use this form to provide information necessary for the candidate to appear on the ballot. It will remain in the Elections Division when it is issued.

When to File

Candidate filing for the June 3, 2008 Statewide Direct Primary Election begins February 11, 2008 and ends March 7, 2008. If an incumbent fails to file, candidate filing is extended until March 12, 2008 for candidates other than the incumbent. Nomination papers must be filed by 5:00 PM on the last day of candidate filing. The extension does not apply if the incumbent was unable to file for candidacy due to term limits. [E.C. Sec. 8022]



When the candidate is prepared to complete the filing process, an elections deputy must witness the signature. If a candidate is out of town during the candidate-filing period, the signature may be witnessed by a notary public. The DOC must either be signed by the elections deputy (as a witness) or notarized in order to be valid. [E.C. Sec. 8040]

Candidate Cannot Withdraw

A candidate cannot withdraw from the election after she has filed the DOC. [E.C. Sec. 8800]

Ballot Name

On the DOC, the candidate writes how his name will appear on the ballot. The candidate cannot change the ballot name after the candidate-filing period has closed.

A candidate may use the following variations of his name:

- First and last name,
- First, middle, and last name,
- Initials only and last name,
- A nickname may be included, but must be in parentheses or quotation marks,
- A familiar version of the first name, such as Bill for William or Sue for Susan.

If a candidate changes his name within one year of the election, the new name can appear on the ballot only if the change was made by marriage or a decree of any court of competent jurisdiction. [E.C. Sec. 13104]

A candidate may not use a title or degree either before or after the ballot name. For example, a candidate can list his name as “John Doe,” but not “Dr. John Doe” or “John Doe, M.D.” [E.C. Sec. 13106]

Occupational Ballot Designation

Candidates have the option to list their occupations below their names on the ballot. If a candidate chooses not to list an occupational ballot designation (ballot designation), that line will remain blank. The ballot designation cannot be changed after the close of candidate filing. Guidelines for the ballot designation are set forth in Elections Code Section 13107.

Candidates may use the following ballot designations:

- An elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination papers and to which she was elected by the voice of the people (or appointed, in the case of a superior court judge);
- The word “incumbent” if the candidate is running for the same office that he holds at the time of filing nomination papers and was elected by the voice of the people (or appointed, in the case of a superior court judge);
- The phrase “appointed incumbent” if the candidate holds an office by virtue of appointment and the candidate is a candidate for the same office *or* the word “appointed” and the title of the office if the candidate is a candidate for election to the same office or some other office (the term “appointed incumbent” shall not be required of a candidate who was appointed in lieu of election); or
- 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 preceding the filing of the nomination papers. All California geographical names shall be considered one word. 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, shall be considered as one word. [E.C. Sec. 13107(a)]

The most common prohibitions on ballot designations are:

- Any designations that would mislead the voters;
- Any suggested evaluations, such as “outstanding,” “leading,” “expert,” “virtuous,” or “eminent”;
- Words indicating prior status, such as “former” or “ex-,” with the exception of the word “retired” (which must come before the word it modifies); and
- The name of any political party. [E.C. Sec. 13107(b)]

The interpretation of Elections Code Section 13107 is governed by California Administrative Code Sections 20710 through 20716. Elections Division staff can help candidates determine if their occupational ballot designations follow the guidelines set forth in the Elections Code and California Administrative Code. However, our staff cannot choose or recommend designations for the candidate.

The Secretary of State's Office will have final approval of the ballot designations for state and federal candidates. The County Registrar of Voters has jurisdiction over local candidates. If a ballot designation is determined to be in violation of the codes mentioned above, the candidate will be notified. Candidates may provide an alternative ballot designation within three days of the notification. If no alternative ballot designation has been provided, no occupation will appear on the ballot. [E.C. Sec. 13107(c)]

If a candidate appears on both the primary and general ballots, the ballot designation shall remain the same, unless the candidate, at least 98 days prior to the general election, requests in writing a different ballot designation. [E.C. Sec. 13107(e)]

Certificate as to Candidate's Political Party Affiliation

This certificate appears on the Declaration of Candidacy for *partisan candidates* only. The county elections official is required to complete this certificate on the declaration to ensure that partisan candidates meet the party affiliation requirements. [E.C. Sec. 8001(b)]

Ballot Designation Worksheet

The Ballot Designation Worksheet (BDW) is used by a candidate to support her choice of ballot designation and provide alternates to be used if her ballot designation is determined to be noncompliant with the Elections Code.

When to File

The BDW is filed at the same time as the Declaration of Candidacy. [E.C. Sec. 13107.3]

When Required

The BDW is required if a candidate wishes to have a ballot designation appear under her name on the ballot. If the candidate fails to file the BDW, she will not have a ballot designation appear below her name. [E.C. Sec. 13107.3]

Rejected Designations

If the candidate's proposed ballot designation is rejected and the alternate ballot designations provided on the BDW do not comply with the Elections Code, the candidate will be notified by certified mail and given three days to choose another ballot designation. [E.C. Sec. 13107]

Nomination Petition

Some elective offices require candidates to collect nomination signatures in order to appear on the ballot. The number of signatures that are required depends upon the office that the candidate is seeking. (Please see the chart on the next page for the nomination signature requirements.) Nomination signatures are collected and filed during the candidate-filing period. The Elections Division will issue a number of petitions sufficient to collect the minimum number of nominations signatures required. If the candidate would like additional copies, she may make double-sided copies of one of the petitions provided by the Elections Division. [E.C. Sec. 8020]

Using Petition in Lieu Signatures as Nomination Signatures

Signatures submitted on a Petition in Lieu (PIL) may be used towards the nomination signature requirement if the signers are eligible to nominate the candidate. If the candidate files enough PIL signatures to meet the nomination signature requirement, he is not required to file the Nomination Petition. However, if the candidate still needs more nomination signatures, the Nomination Petition may be circulated and filed during the candidate-filing period. [E.C. Sec. 8061]

Multi-County Offices

If the candidate is seeking a multi-county office, it is important that each petition contains signatures from voters who are registered in the same county. The Placer County Elections Division only has access to information for voters who are registered in Placer County. If we receive a Nomination Petition with signatures of voters who reside in Nevada County or Sacramento County, for example, we have to deem those signatures invalid because we are unable to verify the voters' information. Therefore, signatures need to be filed with the county of residence of the signers. [E.C. Sec. 8063]

Qualifications for Signers

A petition signer must be a registered voter in the district or political subdivision in which the candidate is running. If the Nomination Petition is for a candidate for a partisan office, the signer shall also be affiliated with the party in which the candidate is seeking nomination. If an office is non-partisan, any voter in the district may sign the Nomination Petition regardless of party affiliation. [E.C. Sec. 8068]

When a voter signs the petition she needs to include her:

- Printed full name (if we cannot read the handwriting or determine who the voter is, the signature is invalid);
- Residential address (P.O. Boxes and mailing addresses invalidate the signature); and
- Signature in her own handwriting (spouses and individuals with power of attorney may not sign for the voter).

Voters may only sign a Nomination Petition for one candidate for each office. If there is more than one seat to be filled (for example, 5 seats on a county central committee), signers may only sign up to the same number of petitions as there are

seats to be filled. If a voter signs more Nomination Petitions than there are seats to be filled, the signatures will be counted towards the nomination signature requirement of the first candidate (or candidates equal to the number of seats to be filled) that files the signature(s). [E.C. Sec. 8069]

Qualifications for Circulators

The circulator shall be a registered voter of the district or political subdivision in which the candidate is running. Circulators for partisan offices must also be members of the political party which nomination the candidate is seeking. [E.C. Sec. 8066]

The circulator also needs to complete the “Affidavit of Circulator” located on the back of the Nomination Petition. The circulator will need to fill in the appropriate blank spaces in his own hand. The information needed includes the dates the signatures were obtained, his printed name and residential address, and signature. Only one circulator is allowed per Nomination Petition. If the “Affidavit of Circulator” is not completed, we will not file the Nomination Petition.

Number of Signatures Required for Each Office

OFFICE	MINIMUM NUMBER OF SIGNATURES REQUIRED	MAXIMUM NUMBER OF SIGNATURES PERMITTED
U.S. Representative	40	60
State Senate	40	60
State Assembly	40	60
County Central Committee/ County Council	Democratic	40
	Republican	40
	American Independent	40
	Green	30
	Libertarian	30
	Peace and Freedom	No maximum
Superior Court Judge	20	40
County Board of Supervisors	20	40

Candidate Statement of Qualifications

The Candidate Statement of Qualifications (CSQ) is an optional statement that candidates may file to be distributed to voters with election materials. If a candidate chooses to file a CSQ, she pays a fee that covers the cost of printing the statement. This statement gives the candidate the opportunity to tell voters about herself. The statement may include the candidate's age, occupation, education, and a brief description of the candidate. The CSQ may not mention the candidate's party affiliation or membership or activity in any partisan political organizations. [E.C. Sec. 13307]

Who may file

CSQ's may be filed by statewide candidates for inclusion in the state voter guide, and by state legislative and local candidates for inclusion in the county sample ballot pamphlet. Candidates for federal offices and county central committees/county councils are not able to publish CSQ's.

State Legislative Candidates

Proposition 34

Under the provisions of Proposition 34 adopted by voters in November 2000, all candidates for state constitutional and state legislative offices may agree to abide by voluntary expenditure limits. (These limits are adjusted in odd numbered years.) Only candidates who accept the voluntary expenditure limits have the opportunity to publish a candidate statement.

Length

State legislative candidates are permitted a maximum of 250 words.

Where to File

Candidate statements are filed with the Elections Division.

Multi-County Districts

If there are two or more counties within a district boundary, the candidate has the option to file a candidate statement in all, some, or none of the counties. The candidate will need to file the candidate statement with each county in which he would like it to be published. The candidate is not required to file an identical statement with each county. Because formatting guidelines (the use of bolding, bullet, capital, etc.) may differ among counties, candidates are encouraged to contact each county for its rules.

When to File

Candidates file the CSQ when they file their Declaration of Candidacy (DOC). If a candidate is filing a CSQ with a county other than the county in which she files the DOC, the CSQ needs to be filed with that county by 5:00 PM on the last day of candidate filing. For example, if a candidate for State Assembly District 4 files her DOC in Placer County on February 21 she will need to file her CSQ in Placer County

at the same time. However, she has until the end of candidate filing (March 7) to file a CSQ in the other counties in the 4th Assembly district.

A state legislative candidate who wins his party's nomination in the primary election may file a CSQ for inclusion in the sample ballot pamphlet for the general election. The last day to file the CSQ for the general election is August 8, 2008.

Cost of CSQ

Please see below for the cost to publish a CSQ in Placer County. If you wish to file a CSQ in another county, please contact that county for its cost.

OFFICE	COST
State Senate, 1 st District	\$1,210
State Assembly, 3 rd District	\$300
State Assembly, 4 th District	\$1,620
State Assembly, 5 th District	\$270

Local Candidates

Length

Local candidates are permitted a maximum of 200 words.

Where to File

The candidate statement is filed with the Elections Division.

When to File

Candidates file the CSQ when they file their DOC.

Cost of CSQ

Please see below for the cost to publish a CSQ in Placer County.

OFFICE	COST
Superior Court Judge	\$1,920
County Board of Supervisors, 3 rd District	\$440
County Board of Supervisors, 4 th District	\$500
County Board of Supervisors, 5 th District	\$420

Endorsements

Endorsements are allowed in the candidate statement only if the candidate provides written authorization from the endorsee at the time of filing.

Withdrawal of Candidate Statement of Qualifications

A CSQ may be withdrawn, but not changed, during the period for filing nomination documents and until 5:00 PM of the next working day after the close of the candidate-filing period. Because CSQ's may not be changed, *it is strongly recommended that candidates thoroughly proof their statements before filing them.* Elections staff will not proof statements for spelling or grammatical errors. [E.C. Sec. 13307(a)(3)]

Examination Period

The CSQ is confidential until the close of candidate filing, at which time the public examination period begins. The Elections Division will have copies of the candidate statements available for the public to view for 10 calendar days immediately following the close of candidate filing. Copies are available for \$0.50 for the first page and \$0.25 for each additional page.

During the public examination period, any voter in the district or the county registrar of voters may seek a writ of mandate or an injunction requiring any or all of the material in the CSQ to be amended or deleted. The writ of mandate or injunction request must be filed no later than the end of the 10-day period.

A peremptory writ of mandate or an injunction shall issue only upon clear and convincing proof that the material in question is false, misleading, or inconsistent with the requirements of the Elections Code. [E.C. Sec. 13311, 13313]

No Mention of Another Candidate

The CSQ may not be used to discuss the merits or demerits of another candidate. The candidate filing the CSQ may only discuss his own qualifications. [E.C. Sec. 13307(a)(1), 13308]

Printing Candidate Statements in other Languages

Currently, Placer County is not required to translate CSQ's into other languages. However, a candidate may choose to have her statement translated into Spanish and printed at her cost. Elections Code Section 13307(b) requires the Elections Division to use a translator from the list of approved Spanish translators and interpreters of the Superior Court of the county or from an institution accredited by the Western Association of Schools and Colleges. Because of this requirement, the Elections Division is unable to accept translations provided by the candidate.

Formatting

Printing requirements for the sample ballot pamphlet make it necessary to print all CSQ's in a uniform style. All statements will be set in a full-justified format, so as to fit within a ¼ page space for a 200-word statement and a ½ page space for a 250-word statement. Generally, any characters that can be produced from a standard typewriter keyboard are acceptable, however, no paragraph or sentence shall begin with a number or punctuation mark.

In order to avoid emphasizing words or phrases, **bolded**, CAPITALIZED, Initial Capitalization, underlined, and "quoted" words or phrases are not acceptable if it is determined that the purpose of the bolding, capitalization, underlining, or quotation marks is to draw attention to the word or phrase in question. If quotations are used for a legitimate quote, the candidate must have written permission from the individual being quoted.

Indentations or multiple underscoring will not be accommodated. Items in a list will not be allowed unless the list is in paragraph form.

It is strongly recommended that CSQ's not be handwritten. If the handwriting is illegible the Elections Division may need to interpret the handwriting. In such cases there is a possibility the CSQ may not be typeset and printed as the candidate intended.

Electronic Versions

Candidates are encouraged to submit their CSQ's on a disc in Word format *in addition* to the hard copy printed on the CSQ form. Submitting an electronic version of the CSQ will help speed the formatting process so that the Elections Division may send typesetting proofs to the candidates more quickly. Even if an electronic version is submitted, the hard copy printed on the CSQ form is the official copy and will be used for proofing. Candidates may want to double check that the electronic version and the hard copy are identical.

Liability

Nothing in the Elections Code shall be deemed to make any CSQ or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, misleading, or libelous statements offered for printing or contained in the voter's pamphlet. [E.C. Sec. 13307(d)]

Word Counting Guidelines

The guidelines listed below are used by the Elections Division for counting the number of words in a CSQ:

- Name, age, and office title (located at the top of the form) are not counted.
- Punctuation marks are not counted as words.
- Geographical names such as cities, towns, or states are counted as one (1) word. (e.g., Los Angeles, Placer County, Granite Bay; district names and undefined areas, such as "Silicon Valley" are not considered geographical names.)
- The words "a," "an," "I," "the," and "and" are counted as individual words.
- Monetary amounts, such as \$1,000.00, are counted as one (1) word.
- Abbreviations are counted as one (1) word. (e.g., UCLA, PTA, USMC)
- Hyphenated words that appear in any generally available dictionary shall be considered as one (1) word. Each part of all other hyphenated words shall be counted as separate words.
- Internet website addresses shall be counted as one (1) word.
- Numeric combinations are counted as one (1) word. (e.g., 1973; 13½; 1971-73; 5%; or 8/3/91)
- Any number which is spelled, such as "one" shall be considered as a separate word. "100" shall be counted as one (1) word, whereas "one hundred" shall be counted as two (2) words. [E.C. Sec. 9]

If the text exceeds the word limit, the author will be asked to delete or change a sufficient number of words or sentences until the statement is within the required word limit.

Examples of Candidate Statement Formatting

STATEMENT OF CANDIDATE FOR BOARD MEMBER	STATEMENT OF CANDIDATE FOR BOARD MEMBER
<p>NAME: Fred Businessman AGE: 42 OCCUPATION: Health & Human Services Director</p> <p>Education and Qualifications: I have lived in the Town of Loomis for 55 years. I know the area well and the needs of the communities. I have served in the United States Air Force for 12 years. I am a graduate of Harvard University with a B.A. in engineering.</p> <p>If elected: I will lower taxes; I will work on better education and health care; I will get involved in community affairs.</p> <p>I believe that I am the best person for this position. If you elect me I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention. I will not disgrace the office and will listen to the needs of the people.</p> <p>Elect Fred for results.</p>	<p>NAME: Margaret Businesswoman AGE: OCCUPATION: Sales Representative</p> <p>Education and Qualifications: I have lived in the area for 10 years and I love this community. I want to get involved in community affairs. I believe that I am the better person for this position. I will work hard. I will not take advantage of my position for financial gain. If you elect me I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention. I will fight to protect wildlife in the area. Lets get back on the right track, elect me and I will get the job done right.</p> <p>I have lots of experience and I am willing to use all of this experience and all of my training and education to do the best job that I can.</p> <p>Elect Margaret for the best results!</p>

Code of Fair Campaign Practices

Elections Code Section 20400 states the purpose of the Code of Fair Campaign Practices (the code) is “to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths and distortions.” The Legislature’s ultimate intent is that the will of the voters be freely expressed by ensuring that candidates follow basic principles of decency, honesty, and fair play. [E.C. Sec. 20400]

Voluntary

Subscription to the code is voluntary and candidates for public office may not be required to subscribe to or endorse the code. When the elections official issues nomination documents to an individual, the elections official will give the individual a blank form of the code. The elections official will also inform the candidate that subscription to the code is voluntary. [E.C. Sec. 20440, 20444]

Public Record

Every code subscribed to by a candidate is public record. The elections official will accept completed forms that are properly subscribed to by a candidate at any time prior to the election. The forms will be retained for public inspection until 30 days after the election. The Placer County Elections Division places these forms at the counter for public viewing. [E.C. Sec. 20442, 20443]

Text of the Code

“There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold, in order that, after vigorously contested, but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

“THEREFORE:

“(1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties which merit such criticism.

“(2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.

“(3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on race, sex, religion, national origin, physical health status, or age.

“(4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections, or which hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.

“(5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.

“(6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group which resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics which I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.

“(7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

“I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.” [E.C. Sec. 20440]

Independent Candidates

The California primary elections include a partisan primary election in which each qualified political party nominates its candidate for the November general election. Even though independent candidates are running for a partisan office, they do not represent a qualified political party. Therefore, they appear only on the general election ballot and do not need to complete candidate-filing paperwork at this time (although candidates may have a need to complete financial disclosure paperwork if money is being raised or spent on their campaigns). There is no limitation on the number of independent candidates who may appear on the ballot at the general election, provided each meets the legal requirements and has completed the candidate filing process.

Qualifications

In order to become an independent candidate, the potential candidate *cannot* have filed as a partisan candidate at the primary election and been defeated for the party's nomination at the primary election, or have been registered to vote since October 4, 2007 as being affiliated with a qualified political party. An independent candidate must also meet all other qualifications for the office she is seeking. [E.C. Sec. 8301, 8550]

Important Dates

DATE	EVENT
October 4, 2007	From this date through November 3, 2008, candidate cannot be registered to vote in California with a qualified political party. (Registration as "Decline to State/Non-partisan" is acceptable.) [E.C. 8550]
April 25, 2008 to July 24, 2008	Petitions in Lieu of Filing Fee
April 25, 2008 to August 8, 2008	Independent Candidate Filing Period for U.S. President [E.C. 8403(a)(2)]
June 9, 2008 to August 8, 2008	Independent Candidate Filing Period for State Offices [E.C. 8403(a)(1)]
July 25, 2008 to August 8, 2008	Supplemental Filing Period for Petitions in Lieu of Filing Fee

Petition in Lieu and Nomination Signature Requirements

OFFICE	VOTER REGISTRATION*	NOMINATION SIGNATURES	PETITION IN LIEU SIGNATURES	PRORATED VALUE OF SIGNATURES	FILING FEE
U.S. Representative, 4 th District	416,201	12,487	3,000	\$0.55067	\$1,652.00
State Senate, 1 st District	526,596	15,798	3,000	\$0.38736	\$1,162.08
State Assembly, 3 rd District	241,936	7,259	1,500	\$0.77472	\$1,162.08
State Assembly, 4 th District	266,102	7,984	1,500	\$0.77472	\$1,162.08
State Assembly, 5 th District	238,047	7,142	1,500	\$0.77472	\$1,162.08

*These voter registration totals are based on the Report of Registration from October 23, 2006 (the close of registration for the previous general election).

Write-in Candidates

Write-in candidates still need to go through a process similar to candidate filing. If an individual has not gone through this process, she cannot be elected even if a majority of voters write in her name on the ballot.

Filing Requirements

In order to become a write-in candidate and have one's name counted for a particular office, one must file a Statement of Write-in Candidacy which contains the candidate's name and residence address, a declaration stating one is a write-in candidate, the title of the office sought, the election date, and the party nomination sought (for partisan offices only). As with the Declaration of Candidacy, the candidate's signature on the Statement of Write-in Candidacy will need to be witnessed by the elections official or, if the candidate will be out of town during the write-in candidate filing period, a notary public. Write-in candidates also need to sign an Oath of Allegiance. If the office requires nomination signatures, the candidate will also need to collect the same number of valid signatures as other candidates. [E.C. Sec. 200, 8600, *et. seq.*, *Cal. Constitution Art. XX, Sec. 3*]

When to File

The write-in candidacy period for the June 3, 2008 Statewide Direct Primary Election is April 8, 2008 through May 20, 2008. [E.C. Sec. 8601]

Filing Fees

No fee or charge shall be required of a write-in candidate. [E.C. Sec. 8604]

How Elected

Partisan

In order to be nominated to a partisan office, a write-in candidate must receive more votes than any other candidate running for that party's nomination, and must also receive votes equal to at least 1% of all votes cast for that office at the last preceding general election at which the office was filled. [E.C. Sec. 8605(a)]

Number of Votes Required to Win a Party's Nomination

OFFICE	VOTES CAST AT LAST GENERAL ELECTION	WRITE-IN VOTES REQUIRED FOR NOMINATION
U.S. Representative, 4 th District	276,893	2,769
State Senate, 1 st District	415,961	4,160
State Assembly, 3 rd District	143,859	1,439
State Assembly, 4 th District	164,807	1,649
State Assembly, 5 th District	136,727	1,368

Non-partisan

In order to be elected to any non-partisan office, a write-in candidate must receive over 50% of votes cast for that office. If no candidate receives over 50% of the votes, the top two candidates will run off in the general election.

Appearing on the Ballot

U.S. Representative and U.S. Senate

If there is only one qualified candidate (or none) for a federal legislative office, the office will appear on the ballot in order to give voters the opportunity to cast a ballot for an individual by writing his name on the write-in space provided. [E.C. Sec. 8700(b), 8700(c)]

State Assembly and State Senate

When a candidate has declared candidacy for a primary election, the candidate's name shall appear on the ballot. A write-in space will also appear on the ballot to give voters the opportunity to nominate other individuals. [E.C. Sec. 8809]

County Central Committees/County Council

If the number of candidates for a county central committee or county council race does not exceed the number of committee members (or council members) to be elected, the office will not appear on the ballot. Instead, the candidates will be appointed in lieu of election and are entitled to receive a certificate of election as if they had been elected. [E.C. Sec. 7228, 7423, 7673, 7772.1]

Judicial Offices

Primary Elections

If the incumbent is the only individual to file nomination papers, her name will not automatically appear on the ballot. However, if a petition indicating that a write-in campaign will be conducted for the office, which is signed by at least 100 registered voters, is filed within 10 days of the close of the candidate-filing period, the office will appear on the ballot.

General Elections

If a petition indicating that a write-in campaign will be conducted for the office at the general election, signed by at least 100 registered voters, is filed not less than 83 days before the general election, the incumbent's name shall appear on the ballot. If the incumbent's name does not appear on either the primary or general election ballot, the incumbent is reelected. [E.C. Sec. 8203]

County Offices

Whenever a candidate has qualified to run for office in a primary election, his name will appear on the ballot for the primary election, unless the candidate has died at least 68 days before the election. County offices will also appear on the ballot even if only one person files for office to allow voters to write in a name on the ballot. [E.C. Sec. 8809]

Financial and Campaign Disclosure Information

The Political Reform Act of 1974 mandates that all candidates for state and local elective offices, all state and local elected officeholders, and recipient campaign committees file campaign disclosure statements listing contributions received and expenditures made. The campaign disclosure statements put this information in the public domain. In addition to making the financial activities of campaign committees available to the public, these statements help protect candidates from unfounded accusations. This program is administered by the Secretary of State, the Fair Political Practices Commission (FPPC) and local election officials.

Federal candidates fall under the jurisdiction of the Federal Elections Commission (FEC). For information on their regulations, please contact the FEC at www.fec.gov or toll-free 1 (800) 424-9530.

Public Record

All campaign disclosure statements are a matter of public record. Any member of the public or press may inspect them at the Elections Division and copies of filed campaign disclosure statements may be made for ten cents a page. Campaign disclosure forms are also available for viewing online; follow the links from our website at www.placer.ca.gov/elections. [Gov. Code Sec. 81008]

Termination of Filing Requirements

Candidates, officeholders, and committees do not automatically terminate their filing requirements when activity ceases or when an officeholder with an active committee vacates office. An individual who qualifies as a candidate maintains that status until any potential campaign activity that may require disclosure ceases *and* the appropriate forms (Terminating Form 410 and Terminating Form 460) have been filed.

Contributions/Expenditures

No monetary contribution of \$100 or more shall be received in cash. No expenditure of \$100 or more shall be made in cash. [Gov. Code Sec. 84300(a)(b)]

Campaign Funds

All contributions must be segregated and shall not be commingled with personal funds of the recipient or any other person. Committees must open a campaign account, and all money intended for use in the campaign must be deposited into this account, including personal funds. Expenditures need to be made from this account. The funds in the campaign account may not be used in connection with any other office sought by the candidate. [Gov. Code Sec. 84307]

For more information on restrictions regarding the use of campaign funds, please contact the Fair Political Practices Commission or visit their website www.fppc.ca.gov.

Audits

The Act authorizes investigations and audits of committees and candidates. Candidates and committee treasurers should keep complete records and be prepared to submit supporting documents if requested. The retention schedule for supporting documents is listed in the Fair Political Practices Commission manuals. These manuals may be obtained online at www.fppc.ca.gov or from the Elections Division.

Late Fees/Fines/Penalties

It is the responsibility of candidates and/or committees to be aware of, and to file, the required campaign disclosure statements in a correct and timely manner. Filing after a deadline may lead to late filing penalties of \$10 for each day the statement is late. Committees that fail to file are subject to administrative penalties of up to \$5,000 per violation. Statements must be hand delivered or postmarked as first-class mail by the due date. Certified mail is recommended, but not required. [Gov. Code Sec. 81007, 91013]

Violations of the campaign disclosure law may result in criminal prosecution by the State Attorney General or the County District Attorney, or civil action by the Fair Political Practices Commission, the District Attorney, or a private citizen. [Gov. Code Sec. 9100 *et seq.*]

Definitions

Candidate

An individual who is listed on the ballot or has qualified to have write-in votes counted on his behalf for nomination or for election to any elective office, or who receives a contribution or makes an expenditure or gives his consent for any other person to receive a contribution or make an expenditure with a view to bringing about his nomination or election to any elective office, whether or not the specific elective office for which he will seek nomination or election is known at the time the contribution is received or the expenditure is made and whether or not he has announced his candidacy or filed the Declaration of Candidacy at such time.

An individual who becomes a candidate shall retain his status as a candidate until such time as that status is terminated. [Gov. Code Sec. 82007, 84214]

Committee

Any person or combination of persons who directly or indirectly:

1. Receives contributions totaling \$1,000 or more in a calendar year;
2. Makes independent expenditures totaling \$1,000 or more in a calendar year;
- or
3. Makes contributions totaling \$10,000 or more in a calendar year to or at the behest of candidates or committees.

A person or combination of persons that becomes a committee shall retain its status as a committee until such time as that status is terminated. [Gov. Code Sec. 82013]

A committee receiving \$1,000 or more must file a Statement of Organization- Form 410 within ten days of receipt (the deadline may be different close to an election). Forms can be downloaded from the FPPC website at www.fppc.ca.gov or obtained from the Elections Division. Mail the original and a copy to the Secretary of State's Office and one copy to the Elections Division.

The Form 410 is also filed when there is any change to the information listed on the form, such as the treasurer information or committee type. [Gov. Code Sec. 84103]

Controlled Committee

A committee that is controlled directly or indirectly by a candidate or state measure proponent or which acts jointly with a candidate or state measure proponent in connection with the making of expenditures. A candidate or state measure proponent controls a committee if she, her agent or any other committee she controls has a significant influence on the actions or decisions of the committee. [Gov. Code Sec. 82016]

Common Filing Requirements

The amount of money that a candidate or committee raises or spends determines the filing requirements. Candidates/committees who stay below the \$1,000 threshold have fewer filing requirements. However, if the candidate/committee either receives contributions of \$1,000 or more or makes expenditures of \$1,000 or more, a committee must be formed and more detailed disclosure statements must be filed.

A list of the most common filing requirements appears below.

Candidates who receive/spend less than \$1,000

- Form 501 – Candidate Intention Statement
- Form 470 – Officeholder/Candidate Campaign Statement-Short Form

Candidates who receive/spend more than \$1,000

- Form 501 – Candidate Intention Statement
- Form 470 Supplement – Officeholder/Candidate Campaign Statement-Short Form
- Form 410 – Statement of Organization (also used for termination)
- Form 460 – Recipient Committee Campaign Statement
- Form 497 – Late Contribution Report

Controlled committees for local candidates

- Form 501 – Candidate Intention Statement
- Form 410 – Statement of Organization (also used for termination)
- Form 460 – Recipient Committee Campaign Statement
- Form 465 – Supplemental Independent Expenditure Report
- Form 496 – Late Independent Expenditure Report
- Form 497 – Late Contribution Report

When and Where to File for Local Candidates

FORM NUMBER	WHEN TO FILE	ORIGINAL & ONE COPY	OTHER COPIES
501	Before any money is raised or spent	Placer County Elections P.O. Box 5278 Auburn CA 95604	N/A
410	Within 10 days of receiving/spending \$1,000	Secretary of State's Office Political Reform Division P.O. Box 1467 Sacramento CA 95812-1467	Placer County Elections
Amended 410	Within 10 days of changes being made to the information on the original 410		
460	According to the schedule on page 3 of this handbook	Placer County Elections (Multi-county committees should see the FPPC Manual or contact the Elections Division or FPPC for instructions)	N/A
470	On or before the 1 st pre-election report due date	Placer County Elections	N/A
496	Within 24 hours of a \$1,000 independent expenditure being made		
497	Within 24 hours of a \$1,000 contribution (from a single source) being received		
<p>Filing procedures are different for federal, statewide, and state legislative candidates.</p> <ul style="list-style-type: none"> • Candidates for state offices are encouraged to contact the Secretary of State's Office and the Fair Political Practices Commission: www.sos.ca.gov or www.fppc.ca.gov. • Federal candidates should contact the Federal Elections Commission: www.fec.gov. 			

Please note that unsigned forms are incomplete and not considered filed until they are signed.

Conflict of Interest

In accordance with the Political Reform Act, state and local candidates and officeholders are required to disclose their economic interests (federal candidates and officeholders are not covered by the Act). Because a few officeholders have used their positions for personal gain in the past, it is important for voters to have a way to verify that their elected officials do not have conflicting economic interests. The Form 700 – Statement of Economic Interests gives candidates/officeholders a way to make their economic interests public to protect them from accusations of misconduct and to protect voters from officeholders who abuse their positions.

Form Descriptions

FORM	DESCRIPTION
410	Statement of Organization/Termination. For use in organizing a committee, changing information for a committee, or terminating a committee.
450	Recipient Committee Campaign Statement – Short Form. For use by a recipient committee that does not receive a single source contribution of \$100 or more and has no outstanding loans and no accrued expenses.
460	Recipient Committee Campaign Statement – Long Form. For use by recipient committees which receive a cumulative contribution of \$100 or more from a single source and/or officeholder not eligible to file a Form 470 or who is filing jointly with one or more controlled committees. A controlled committee is one which is controlled directly or indirectly by a candidate or which acts jointly with a candidate or controlled committee in connection with the making of expenditures.
465	Supplemental Independent Expenditure Report. For use by an officeholder, candidate, or committee which makes independent expenditures totaling \$1,000 or more in a calendar year to support or oppose a single candidate, a single ballot measure, or the qualification of a single measure.
470	Candidate and Officeholder Campaign Statement – Short Form. Form 470 may be used if less than \$1,000 has been raised or spent by or on behalf of the candidate, and he anticipates raising or spending less than \$1,000 for his candidacy for the entire calendar year.
496	Late Independent Expenditure Report. For use by individuals or groups that make independent expenditures totaling \$1,000 or more to support or oppose a single candidate or a single ballot measure during the 16 days immediately before the election. The (aggregated) expenditure must expressly advocate the election, nomination, or defeat of a clearly identified measure. Furthermore, this expenditure cannot be made to or at the behest of the affected candidate or committee. If it is, the expenditure is then an in-kind contribution. [Gov. Code Sec. 82031]
497	Late Contribution Report. For use by candidates or committees that receive or make a late contribution totaling \$1,000 or more during the 16 days immediately before the election. A late contribution is a monetary or non-monetary contribution, including a loan, or combination of monetary and non-monetary contributions and loans.
501	Candidate Intention Statement. A candidate for state or local office must file this form prior to solicitation or receipt of any contribution, or expenditure of any personal funds used for the election.
700	Statement of Economic Interests. This form is used by candidates and officeholders to disclose their financial interests. Candidates file it when they complete their nomination paperwork and officeholders file it annually. It discloses economic interests of the past 12 months.

General Campaign Information

State and local laws may affect candidates' campaigns. These laws were enacted in an effort to protect the voting rights of our citizens and to ensure fair play in campaign practices. Please keep in mind that this section is not all-inclusive and does not take the place of legal advice. However, the information contained should be able to give you a starting point in understanding and following the laws related to political campaigns.

Political Signs

A political sign is a posted advertisement used to promote or campaign against a candidate and/or measure for an upcoming election. Any type of advertising viewed by the public can fall under political sign regulations. The placement of political signs is subject to regulation by the state, county, and/or cities.

State

The Division of Highways is prepared to answer questions about state regulation of campaign signs. For information, call (916) 654-4790 or ask the Elections Division for a handout prepared for candidates who intend to advertise outdoors.

County

Placer County Code Chapter 17 Zoning, Section 17.54.190(b) requires that:

- Signs shall be posted no earlier than 60 days prior to the election to which they pertain.
- Each person or organization posting such signs shall first deposit with the Placer County Elections Division a refundable deposit to guarantee removal of the signs as required. Such deposit shall be \$200.00.
- Signs shall be prohibited on all county roadway rights-of-way and meet all county setback requirements.
- Signs are permitted to be posted on private property pursuant to the provisions of this section.
- Signs shall be removed no later than 21 days after the election to which they pertain.

If signs are not removed within the statutory time frame, notice shall be issued and the responsible party has seven (7) days from the date of notice to remove the signs. If the signs are not removed within that time, violations are punishable under Article 17.62 of the County Code. The punishment is a fine not to exceed \$500.00 per violation, with each day constituting a separate violation, or not more than six months in jail.

Complaints about signs in unincorporated portions of the county should be reported to the Placer County Code Enforcement Division at (530) 886-3050.

General Campaign Information

Cities

The Registrar of Voters strongly recommends that each candidate consult the City Clerk in each of the cities in which signs will be placed. Each city has its own, unique policy. The locations, mailing addresses (if different), contact names, and telephone numbers are listed for your convenience.

City of Auburn
Joseph Labrie, City Clerk
1225 Lincoln Way
Auburn CA 95603
(530) 823-4242

City of Colfax
Karen Pierce, City Clerk
33 S. Main Street/P.O. Box 802
Colfax CA 95713
(530) 346-2313

City of Lincoln
Patricia Avila, City Clerk
640 5th Street
Lincoln CA 95648
(916) 645-3314

Town of Loomis
Charleen “Crickett” Strock, Town Clerk
6140 Horseshoe Bar Road
Loomis CA 95650
(916) 652-1840

600 6th Street
Lincoln CA 95648
Effective February 25, 2008

City of Rocklin
Barbara Ivanusich, City Clerk
3980 Rocklin Road
Rocklin CA 95677
(916) 625-5560

City of Roseville
Sonia Orozco, City Clerk
311 Vernon Street
Roseville CA 95678
(916) 774-5263

Political Sign Regulations

These figures are guidelines only. Individual ordinances should be consulted by contacting the appropriate agency prior to placing signs.

JURISDICTION	NUMBER OF DAYS PRIOR TO ELECTION THAT SIGNS MAY BE POSTED	NUMBER OF DAYS AFTER ELECTION THAT SIGNS MUST BE REMOVED	DEPOSIT/FEE REQUIRED	SIZE LIMIT REGULATION
STATE	90	10	None	32 sq. feet
PLACER COUNTY	60	21	\$200.00 refundable	32 sq. feet
AUBURN	N/A	15	\$16.50 fee	7 ft. tall
COLFAX	60	5	\$50.00	16 sq. feet
LINCOLN	60	30	None	None
LOOMIS	45	15	\$200.00	16 sq. feet
ROCKLIN	45	5	None	Varies*
ROSEVILLE	90	10	None	6 sq. feet

*See Rocklin City Ordinance 778 and amended Ordinance 780 for the various size requirements throughout the city.

Voter Registration Drives

Some candidates either conduct registration drives or encourage individuals to register to vote while they are collecting Petition in Lieu signatures or nomination signatures. To ensure that election law is followed and that voters' rights are secured, we ask anyone involved in the process to follow the guidelines below. Please note that this does not contain all laws regarding voter registration. Contact the Secretary of State's office or your local elections official if you have any questions.

The Voter Registration Form

Voter registration forms may be obtained from the Elections Division. If an individual requests 50 registration forms or more, she will need to fill out a "Voter Registration Card Statement of Distribution." At that time, Elections Division staff will go over the registration form requirements with the individual who is requesting them.

Individuals distributing voter registration forms must give a form to anyone who requests one provided they have a sufficient number of forms. [E.C. Sec. 2158(b)(2)]

Candidates and their volunteers may not affix or write any statements urging or indicating support or opposition to any candidate onto the voter registration form. [E.C. Sec. 18105]

Anyone who, without the specific written consent of the voter, willfully and with the intent to affect the voter's voting rights, causes, procures, or allows for the voter's party affiliation declaration on the voter registration form to be defaced, altered, or completed may face imprisonment in the state prison for 16 months or two or three years or in the county jail for not more than one year. [E.C. Sec. 18106]

Returning the Voter Registration Form

Voter registration forms need to be returned to the Elections Division within 3 business days or by the close of registration, whichever is sooner. It is a misdemeanor, punishable by a fine up to \$1,000, to knowingly or negligently interfere with the prompt delivery of the voter registration forms to the Elections Division. [E.C. Sec. 2138, 2139, 18103]

Distributing Vote by Mail Ballot Applications

Individuals, groups and organizations may distribute vote by mail ballot applications. However, there are strict guidelines set forth in the Elections Code regulating the distribution of vote by mail ballot applications. While this manual contains information regarding those guidelines, the Elections Division strongly recommends that anyone thinking about distributing vote by mail ballot applications call the Elections Division or the Secretary of State before proceeding.

Formatting

Any individual, group or organization distributing applications for vote by mail ballots must use the uniform format approved by the Secretary of State. Failure to conform to this format may result in criminal prosecution. [E.C. Sec. 18402]

The uniform format for vote by mail ballot applications *must* be obtained from the local elections official or the Secretary of State. Forms should be 5½" x 8½" (which is within the range of first-class postage), unless the individual, candidate or campaign is given advance authorization by the elections official. While the California Elections Code provides no guidelines for the size of applications, 95% or more of the forms received for an election are 5½" x 8½" or larger. Elections officials are required by law to indicate certain information on each application when a ballot is issued. Small applications do not provide enough space for this purpose.

The elections official may authorize a change in type fonts and/or size. However, in no case may a type be smaller than 6 point, and all approved type fonts must be clear and easily readable.

For a sample application contact the Secretary of State at (916) 657-2166 or the Elections Division at (530) 886-5650. Upon request, the Placer County Elections Division will provide a camera-ready proof of a vote by mail ballot application.

The vote by mail ballot application must be approved by the Placer County Elections Division before it is mass-produced and distributed to voters.

Addresses

Any application for a vote by mail ballot that is mailed to a voter by an individual, group, or organization shall be non-forwardable. The mailing address to which a vote by mail ballot is sent to the voter *may not* be the address of any political party, political campaign headquarters, or a candidate's residence. Candidates, as well as their families and other household members are, of course, exempted from the prohibition and may receive their own vote by mail ballots at these addresses. *The address to which the actual vote by mail ballot shall be sent may not be pre-printed. The voter must complete this information.*

The Elections Division prefers that the return address on the application be ours; however, a campaign or candidate may use her own address as the return address, in which case the return address must clearly and unambiguously indicate that it is a

campaign office address. Titles such as “Vote by Mail Ballot Center” are not permitted. A notice must also be included to inform the voter of his right to return the application directly to the Elections Division. Any individual, organization or group that distributes applications for vote by mail voters ballots and *receives completed application forms shall return the forms to the appropriate elections official within 72 hours of receiving the completed forms or before the application deadline, whichever is sooner.* Failure to return completed applications in a timely manner to the appropriate elections official is a misdemeanor. [E.C. Sec. 3006, 3008, 18576]

Any application that is pre-printed must contain the following statement: “*You have the legal right to mail or deliver this application directly to the local elections official of the county in which you reside.*”

Preprinted Information

The following information *must* be pre-printed on the vote by mail application form by the individual, group, or organization distributing the applications:

- *The name and date of the election.*
- *The deadlines for receipt of the completed application by the elections official.*
- *The name of the county in which the applicant resides.* Line 3 of this form must include the name of the county in which the applicant is registered to vote.
- *The name, address and telephone number of the organization providing the form.* This information should be printed at the bottom of the form and will permit the applicant to contact the individual, group, or organization distributing the form should any questions arise.
- *The name and address of the elections official.* This information should be printed in the box concerning the voter’s “legal right” (see above).
- *Information on permanent vote by mail status.* An application must include information concerning the procedure for all registered voters to obtain the status of permanent vote by mail voters.
- *Partisan ballots.* In a primary election, if the vote by mail voter is unaffiliated with a political party, the voter may request a party ballot for a primary election if that political party has adopted a party rule, duly noticed to the Secretary of State, authorizing that vote. The application shall contain a check-off box with a conspicuously printed statement that reads, “I am not presently affiliated with any political party. However, for this primary election only, I request a vote by mail ballot for the _____ Party.” The name of the political party shall be personally affixed by the voter. [E.C. Sec. 3006(c)]

The following information *may* be pre-printed on the application form by the individual, group, or organization distributing the applications:

- *The name of the applicant.* This must be the name of the voter as it appears on the voter’s affidavit of registration.

- *The residence address of the applicant.* This must be the residence address indicated on the voter's affidavit of registration. The most current voters' addresses are available from the Elections Division.
- *Voter Identification Number.* The Placer County Elections Division does not, at this time, require voter identification numbers to pre-printed in the box labeled "FOR OFFICIAL USE ONLY." However, the use of barcodes is strongly encouraged. Please discuss barcode use with Elections Division IT Staff before printing your applications.

Please note, that although much of the required information may be pre-printed, the applicant will still need to *handwrite the mailing address and sign her name.*

Turning in the Completed Application

Any individual, organization, or group that distributes applications for vote by mail ballots and receives completed application forms shall *return the forms to the appropriate elections official within 72 hours of receiving the completed forms or before the application deadline, whichever is sooner.* Failure to return completed applications in a timely manner to the appropriate elections official is a misdemeanor. [E.C. Sec. 3008, 18576]

Expediting the Issuance of Vote by Mail Ballots

To expedite the issuance of vote by mail ballots, it is suggested that:

- Voters are instructed to mail or deliver the applications to the Elections Division.
- If the applications are addressed directly from a computer file of registered voters, include the voter identification number with the names and street addresses of the voters.
- If the computer has the capability to barcode, please contact the elections office for instructions. Using bar codes will enhance efficiency and save taxpayer dollars.
- Make room on the application for the voter's daytime telephone number so the voter can be contacted if there are any questions regarding the application.
- Use the most recent voter addresses supplied by the county elections official.
- Advise the Elections Division of plans to mail applications so that our staff will be prepared to receive and process the vote by mail ballot requests.

Distributing and Receiving Vote by Mail Ballots

At the discretion of the Registrar of Voters, a member of the public can be authorized to distribute and receive vote by mail ballots. People who have received this authorization in the past include postmasters and nursing home administrators.

A voter who uses a vote by mail ballot must return the ballot in person or by mail to the Placer County Elections Division. A voted ballot may also be dropped off at any Placer County polling place on Election Day. If a voter is unable to return his ballot due to illness or physical disability, the voter may designate a spouse, child, parent,

brother, sister, grandchild, grandparent or a person residing in the same household as the vote by mail voter to return the vote by mail ballot. A person who is authorized to return a ballot will be required to sign the vote by mail envelope where designated.

Any person can be authorized to drop a voted ballot in a mailbox for a voter.

At no time shall a candidate running for office be authorized by the Registrar of Voters to distribute unvoted ballots on behalf of the Elections Division. Similarly, a candidate for office shall not be given the authority to return voted ballots to the Elections Division or the polls unless that voter is a member of the candidate's family.

Mass Mailings

"Mass mailing" means over 200 substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter, or other inquiry. [Gov. Code Sec. 89001]

No newsletter or other mass mailing shall be sent at public expense. [Gov. Code Sec. 89001]

The local Registrar of Voters is required to provide to each candidate (or the candidate's agent) a copy of Government Code Section 84305 at the time of filing.

Government Code Section 84305. "Manner of Sending Mass Mailings (200 pieces or more of identical or nearly identical pieces of mail)"

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

Political Advertisements

As used in Elections Code Section 20008 “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.

Any paid political advertisement which refers to an election or to any candidate for state or local elective office which is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or letter 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.

Placer County Poll Watchers Guide

The election process is public and anyone who wishes may observe this process in a polling place. 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 elections officials of Placer County and have complete responsibility for conducting all phases of the election in their precinct. Observers who are courteous will find them cooperative. However, certain standards are expected of observers.

Poll watchers and the news media should familiarize themselves with the following rules and procedures that pertain to appropriate conduct at polling places. The Elections Division requests compliance with these regulations at all times.

- A. 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 for 16 months or two or three years. [E.C. Sec. 18502]
- B. 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. We ask you not to use the telephone because the Elections Division must have the means of direct contact to all of our polling places at all times.
- C. The area between the official table and the voting booths is for voters only and may not be used as an observer post. [E.C. Sec. 14221]
- D. Poll watchers may not sit at the official table or handle any of the official voting equipment, supplies, or ballots. [E.C. Sec. 14223]
- E. Poll watchers may not wear candidate badges, discuss candidates or bring any campaign material into the polling place. This activity constitutes electioneering and is illegal. Electioneering may not be conducted within 100 feet of a polling place. “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 and White “Polling Place 100 Feet” signs which are posted outside of each polling place indicate the 100 foot boundary for electioneering. [E.C. Sec. 18370]

- F. Presence at a polling place of a person with firearms or uniformed as a peace officer, guard, or security personnel:
- (a) Any person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, who is stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate city or county elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or both the fine and imprisonment.
 - (b) This section shall not apply to any of the following:
 - (1) An unarmed uniformed guard or security personnel who is at the polling place to cast his vote.
 - (2) A peace officer who is conducting official business in the course of her public employment or who is at the polling place to cast 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. [E.C. Sec. 18544]
- G. Damaging or tampering with voting equipment or official election materials is a felony, punishable by imprisonment for up to four years. [E.C. Sec. 18564]
- H. Poll watchers may not at any time handle voted or unvoted ballots.
- I. Indexes marked to indicate persons who have voted are posted outside the polling place for reference by the public or any observers.
- J. The Roster-Index inside the polling place may be inspected provided there is no interference with poll operations or delay or inconvenience to the voter. [E.C. Sec. 14223]
- K. Voters may request and receive assistance in voting, when a voter declares under oath, administered by any member of the precinct board at the time the voter appears at the polling place to vote, that the voter is then unable to mark a ballot, the voter shall receive the assistance of not more than two persons selected by the voter other than the voter's employer, an agent of the voter's employer, or an officer or agent of the union of which the voter is a member. No person assisting a voter shall divulge any information regarding the marking of the ballot. [E.C. Sec. 14282]
- L. The precinct officers shall keep a list of the voters who have been assisted in marking their ballots. The list of assisted voters shall be returned to the clerk and preserved with other election materials and records. [E.C. Sec. 14283]
- M. Voting booths shall not be occupied by more than one person at a time, unless a person is assisting the voter as provided by law. [E.C. Sec. 14281, 14224]

N. Smoking is not permitted inside the polling places at any time.

Electioneering near Polling Places

On Election Day, there are certain activities that may not occur within 100 feet of the polling place. These activities include electioneering, circulating petitions, soliciting votes or speaking to a voter about marking his ballot, placing signs relating to a voter's qualification to vote or speaking to a voter on the subject of his qualification to vote, or record a voter entering or exiting a polling place. Signs are posted at strategic locations clearly marking the 100-foot limits of the polling place. [E.C. Sec. 18370, 18541]

Electioneering while a Vote by Mail Ballot is being Voted

Election Code Section 18371 prohibits a candidate or a representative of a candidate from soliciting the vote of a vote by mail voter or doing any electioneering while in the residence or immediate presence of the voter, during the time that he knows the vote by mail voter is voting. Section 18371 does not preclude electioneering by mail or telephone or in public places, except as prohibited by any other provision.

News Media Exit Polls

Members of the news media are permitted to conduct voter surveys outside of the polling places on Election Day. It has been determined that these surveys may take place no closer than 25 feet from the door to the polls.

Canvassing the Election

Final results for the election cannot be released until the canvass has been completed. The election canvass process is an internal audit and is required by state law to ensure the accuracy of election results. California election law allows 28 days to conduct the official canvass of the final election results. The canvass begins no later than the Thursday after the election and concludes no later than 28 days later. Traditionally Placer County starts Wednesday, the day after the election. During the canvass, vote by mail ballots not counted on Election Night and provisional ballots are researched to validate eligibility. The Elections Division also reconciles the polling place rosters against the computer tallies from the precincts; performs a manual count of 1% of all ballots cast in each race to verify the accuracy of the election tally system; tallies eligible damaged, mailed vote by mail ballots, and provisional ballots; and counts write-in votes. The canvass concludes with the certification and issuance of official election results. Any member of the public may observe this process.

Appendix A: Services to Candidates

Candidates may purchase the following voter information from the Placer County Elections Division to aid with their campaigns. All requestors must complete a “Request to Purchase Voter Information” form and will be required to sign a statement verifying the information will not be used for personal or commercial purposes. Please allow enough time for the Elections Division to produce your report or labels. Times vary among jobs, so please coordinate your requests with the Elections Division for best results.

Precinct Indexes (a.k.a. Walking Lists)

All candidates are entitled to purchase indexes, printed in alphabetical order by street names, then numeric house numbers. The list then shows the names of voters at each address, with party affiliation and telephone number. Each candidate may order precinct indexes at a base cost of \$5.00 per 5,000 names, rounded up to the next 5,000 names.

Registered Voter List (a.k.a. Alpha Lists)

Many lists may be produced which contain more complete information for each voter record. These lists are arranged in alphabetical order by voter’s last name and may be printed by precinct, district, or countywide. Many formats are available, which may include: residence address, mailing address, telephone number, party affiliation, etc. The Elections staff will recommend lists based on what the requestor wishes to accomplish. Each candidate may order alpha lists at a base cost of \$5.00 per 5,000 names, rounded up to the next 5,000 names.

Registered Voter Compact Disc

The voter file, countywide or by district, may be obtained on CD at the following charges:

- \$100 - Countywide voters.
- \$125 - Countywide voters, with voter history. (May specify up to 5 elections for history attached to each record, or “All history” in a separate file with a Unique ID field to link to each voter.)
- \$25 - District File, per 30,000 voters. (This file format is .txt, which may be imported into most software programs such as MS Access, MS Excel, etc. Test files may be requested. Pre-paid files may be transmitted via encrypted e-mail.)

Customer Mailing Labels

Mailing labels are available addressed to every eligible voter or to family households of the same surname. Household labels constitute approximately 60% to 65% of the registered voters within a district. The cost is \$.10 per label. The labels can be ordered by district or precinct.

Precinct/District Maps

Precinct or District maps are available from the Elections Division. Specialty maps using geographical information systems technology are also available. Contact the Elections Division for the costs of these maps.

Consolidation Lists

This report details the regular precincts that were placed into specific consolidated voting precincts. The fee is \$5.00.

Polling Place Lists

A list of the polling place locations for the upcoming election is available for standard copy fees, which are \$.50 for the first page and \$.25 for each additional page.

Vote by Mail Voter Information

Vote by Mail Labels

For \$.10 per label, vote by mail labels (including permanent vote by mail voters and voters living in mail ballot precincts) are available starting from 29 days before the election and continuing through 7 days before the election.

Vote by Mail Date Range/District Report

An alphabetical list can be requested, from any specific date to the present that includes the name and mailing address of every early voter. It also reveals the precinct number, the date of the vote by mail request, the date the ballot was issued/mailed, the political party of the requestor and the date if the ballot was returned. This report can be run by district or countywide. The initial report is \$35.00 and subsequent reports are \$10.00.

For further information, call the Placer County Elections Division at (530) 886-5650.

Appendix B: Relevant Code Sections

The Elections Division has included the following code sections to help candidates comply with election and campaign law. Please note, this selection of codes is not all-inclusive. If you have any questions regarding election or campaign law, please contact the appropriate agency.

Campaign Materials

Government Code Section 84305. Manner of sending mass mailings (200 pieces or more of identical or nearly identical pieces of mail).

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

Elections Code Section 20008. Political advertisement requirements.

Any paid political advertisement that refers to an election or to any candidate for state or local elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type 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.

Elections Code Section 20009. Simulated ballot requirements.

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

“NOTICE TO VOTERS”
(Required by Law)

“This is not an official ballot or an official sample ballot prepared by the county elections official or the Secretary of State.

“This is an unofficial, marked ballot prepared by _____ (insert name and address of the person or organization responsible for preparation thereof).”

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

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

Elections Code Section 18301. Printing of simulated sample ballots.

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

Distributing Polling Place Information

Elections Code Section 18302. Distribution of precinct polling place information.

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

Solicitation of Funds

Election Code Section 20202. Authorization to use candidate or committee name.

It is unlawful for any person who solicits funds for the purpose of supporting or promoting any candidates or committees to include in any part of its name the name

of that candidate or committee unless that person shall have previously obtained the authorization of the candidate or committee or the candidate's or committee's designated agent to use the candidate's or committee's name in the name of the that person.

Authorization by a candidate or committee shall not be construed as rendering the person soliciting funds a controlled committee as defined by Section 82016 of the Government Code.

Elections Code Section 20203. Notice of nonauthorization to be included in fundraising communication.

Any person who solicits or receives contributions on behalf of any candidate or committee for the purported and exclusive use of that committee or the candidate's election campaign and who is not authorized by the candidate or committee or the candidate's or committee's designated agent to do so, shall include a notice in any fundraising communication, whether through any broadcasting station, newspaper, magazine, printed literature, direct mailing, or any other type of general public advertising, or through telephone or individual oral fundraising appeal, clearly and conspicuously stating that the person is not authorized by the candidate or committee and that the candidate or committee is not responsible for the actions of that person.

Penal Provisions Relating to the Nomination of Candidates

Elections Code Section 18200. Fictitious name to nomination petition.

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

Elections Code Section 18201. Defacing or destroying a nomination paper.

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 the fine and imprisonment.

Elections Code Section 18202. Deliberate failure to file nomination paper.

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 or her possession that is entitled to be filed under this code.

Elections Code Section 18203. False declaration of candidacy.

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 the fine and imprisonment.

Elections Code Section 18204. Suppression of nomination paper.

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 the fine and imprisonment.

Elections Code Section 18205. Consideration for a person to become or withdraw from becoming a candidate.

A person shall not directly or through any other person advance, pay, solicit, or receive or cause to be advanced, paid, or solicited, or received, any money or other valuable consideration to or for 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.

Elections Code Section 18351. False statements in candidate statement; fine.

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

Elections Code Section 18501. Public official who knowingly allows fraud shall forever be disqualified from holding office.

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

Voter Registration

Elections Code Section 2138. Return of completed affidavits of registration.

Individuals and organizations distributing voter registration cards pursuant to subdivision (b) of Section 2158 and who receive completed voter registration cards from voters shall return the completed cards to the county elections official or shall deposit the cards in the postal service within three days, excluding Saturdays, Sundays, and state holidays, of receipt from a voter.

Elections Code Section 2139. Return of completed affidavits of registration.

On the day of the close of registration for any election all deputy registrars of voters or individuals and organizations that have submitted plans for distribution shall immediately return all completed affidavits of registration in their possession to the county elections official. Unused affidavits shall be returned upon completion of the distribution plan.

Elections Code Section 18103. Interference with transfer of affidavit to county elections official.

Any person who knowingly or negligently (a) interferes with the prompt transfer of a completed affidavit of registration to the county elections official, (b) retains a voter's completed registration card, without the voter's authorization, for more than three days, excluding Saturdays, Sundays, and state holidays, or after the close of registration, or (c) denies a voter the right to return to the county elections official the voter's own completed registration card, is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).

Elections Code Section 18105. Writing or affixing political statements of affidavits of registration.

No affidavit of registration or voter registration card shall contain, and no person other than the registrant shall write on or affix thereto, or cause to be written on or affixed thereto, any statement urging or indicating support or opposition to any candidate or measure.

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

Elections Code Section 18106. Alteration of affidavit of party affiliation.

Every person is punishable by imprisonment in the state prison for 16 months or two or three years or in the county jail for not more than one year who, without the specific consent of the affiant, willfully and with the intent to affect the affiant's voting rights, causes, procures, or allows the completion, alteration, or defacement of the affiant's party affiliation declaration contained in an executed, or partially executed, affidavit of registration pursuant to subdivision (h) of Section 2150 and Section 2151.

This section shall not apply to a county elections official carrying out his or her official duties.

Vote by Mail Voting

Elections Code Section 18371. Electioneering during vote by mail voting.

- (a) No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of a vote by mail voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the vote by mail voter is voting.
- (b) Any person who knowingly violates this section is guilty of a misdemeanor.
- (c) This section shall not be construed to conflict with any provision of the federal Voting Rights Act of 1965, as amended, nor preclude electioneering by mail or telephone or in public places, except as prohibited by Section 18370, or any other provision of law.

Elections Code Section 18576. Willful interference with return of vote by mail ballot application.

Any person who willfully (a) interferes with the prompt delivery of a completed vote by mail ballot application, (b) retains a completed vote by mail ballot application, without the voter's authorization, for more than three days excluding weekends and holidays, or by the deadline for return of vote by mail ballot applications, whichever is earlier, or (c) denies an applicant the right to return his or her own completed vote by mail ballot application to the local elections official having jurisdiction over the election, is guilty of a misdemeanor.

Elections Code Section 18578. Fraudulent vote by mail voting.

Any person who applies for, or who votes or attempts to vote, a vote by mail ballot by fraudulently signing the name of a fictitious person, or of a regularly qualified voter, or of a person who is not qualified to vote, is guilty of a felony punishable by imprisonment in the state prison for 16 months or two or three years, or by fine not exceeding one thousand dollars (\$1,000) or by both the fine and imprisonment.

Use of Surplus Funds

Government Code Section 89519. Use of surplus funds.

- (a) Upon leaving any elected office, or at the end of the postelection reporting period following the defeat of a candidate for elective office, whichever occurs last, campaign funds raised after January 1, 1989, under the control of the former candidate or elected officer shall be considered surplus campaign funds and shall be disclosed pursuant to Chapter 4 (commencing with Section 84100).
- (b) Surplus campaign funds shall be used only for the following purposes:
 - (1) The payment of outstanding campaign debts or elected officer's expenses.
 - (2) The repayment of contributions.
 - (3) Donations to any bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization, where no substantial part of the proceeds will have a material financial effect on the former candidate or elected officer, any member of his or her immediate family, or his or her campaign treasurer.
 - (4) Contributions to a political party committee, provided the campaign funds are not used to support or oppose candidates for elective office. However, the campaign funds may be used by a political party committee to conduct partisan voter registration, partisan get-out-the-vote activities, and slate mailers as that term is defined in Section 82048.3.
 - (5) Contributions to support or oppose any candidate for federal office, any candidate for elective office in a state other than California, or any ballot measure.
 - (6) The payment for professional services reasonably required by the committee to assist in the performance of its administrative functions, including payment for attorney's fee for litigation which arises directly out of a candidate's or elected officer's activities, duties, or status as a candidate or elected officer, including, but not limited to, an action to enjoin defamation, defense of an action to enjoin defamation, campaign disclosure, or election laws, and an action from an election contest or recount.

- (c) For purposes of this section, the payment for, or the reimbursement to the state of, the costs of installing and monitoring an electronic security system in the home or office, or both, of a candidate or elected officer who has received threats to his or her physical safety shall be deemed an outstanding campaign debt or elected officer's expense, provided that the threats arise from his or her activities, duties, or status as a candidate or elected officer and that the threats have been reported to and verified by an appropriate law enforcement agency. Verification shall be determined solely by the law enforcement agency to which the threat was reported. The candidate or elected officer shall report any expenditure of campaign funds made pursuant to this section to the commission. The report to the commission shall include the date that the candidate or elected officer informed the law enforcement agency of the threat, the name and the telephone number of the law enforcement agency, and a brief description of the threat. No more than five thousand dollars (\$5,000) in surplus campaign funds may be used, cumulatively, by a candidate or elected officer pursuant to this subdivision. Payments made pursuant to this subdivision shall be made during the two years immediately following the date upon which the campaign funds become surplus campaign funds. The candidate or elected officer shall reimburse the surplus fund account for the fair market value of the security system no later than two years immediately following the date upon which the campaign funds became surplus campaign funds. The campaign funds become surplus campaign funds upon the sale of the property on which the system is installed, or prior to the closing of the surplus campaign fund account, whichever comes first. The electronic security system shall be the property of the campaign committee of the candidate or elected officer.