



Vote 2024

GENERAL MUNICIPAL ELECTION

CANDIDATE HANDBOOK

NOVEMBER 5, 2024

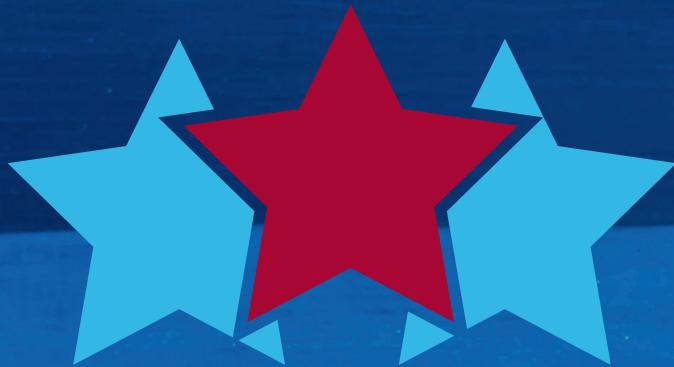




TABLE OF CONTENTS

Receipt – Candidate Filing Information - City Application- Complete & return now
Campaign Sign Summary (to give to your campaign workers)
Election Fast Facts

1. Calendars
 - Quick View Calendar
 - County Calendar of Events
2. Ballot Designations
 - County Ballot Designation Provisions
 - Secretary of State Ballot Designation Guidelines
3. City Seal Restrictions, Mailing, Advertising and Sign Regulations
 - City Seal / Literature / Mass Mailing / Advertising Requirements
 - Temporary Sign Regulations (City)
4. FPPC Manual & Forms
 - Campaign Disclosure Overview
 - FPPC Deadline Calendar
 - Contribution Information (County)
 - Ord 200 Electronic Filing (City)
 - Ord 208 Campaign Contribution Limits (City)
 - FPPC Levine Act Section 84308 Guide to Officers
 - Email Link: [FPPC Campaign Disclosure Manual & Forms 501, 401, 460, 470, 497](#)
5. Candidate Statement (Optional)
 - Notice to Persons Submitting Candidate Statements (County)
 - County Cost Information
 - Candidate Statement Formatting Guidelines
6. Helpful Contacts / Election Results
 - Helpful Telephone Numbers
 - Vote Center Information
 - Canvass
7. Other Information
 - District Maps
 - Note to Candidates regarding incompatible offices (County)
 - Services to Candidates/Fees (County)
 - Application to purchase or view Voter Registration (County)
8. Nomination Papers (Pocket): Candidate's Checklist – What to Return to the City Clerk
 - Nomination Paper
 - Ballot Designation Worksheet
 - Form 501 – Candidate Intention Statement
 - Form 700 – Statement of Economic Interests Filing Confirmation
 - Candidate Statement Form (Optional - \$500 or \$260)
 - Code of Fair Campaign Practices (Optional)

CALENDAR GUIDE
CA MUNICIPAL ELECTION: ESTABLISHED DATE
November 5, 2024

New Laws Chaptered in 2023 Go Into Effect on January 1, 2024 Unless Noted.

⇒ (Check with your County ROV / Elections Official for their deadlines for arguments and rebuttal filings)

Date(s)		E minus	to E minus	Action
May 17		-172		Suggested Last Day to File Petitions Regarding Measure
June 17		-141		Suggested Last Day for Council to Adopt Resolutions
June 18		-140		Suggested Last Day to Post Notice of Deadline for Filing Arguments and Impartial Analyses
<i>No deadline except ONCE before Election Day</i>				Elections Official to Publish Notice of Election – Measure(s) Only, No Candidates
<i>No deadline except ONCE before Election Day</i>				Elections Official to Publish Notice of Election - Measures
See County Calendar				Last Day to File Arguments & Impartial Analyses
				The suggested last day to file arguments & impartial analyses is recommended to be 7-14 days after Council calls the Election
July 1	to July 15	-127	-113	Elections Official to Publish Notice of Election - for Candidates
July 8		-120		Last Day to Adopt Regulations for Candidates Statements
July 15	to August 9	-113	-88	Filing Period for Nomination Papers and Candidate's Statements
August 6		-91		Last Day to Publish or Post Offices and Nominations
August 9		-88		Last Day to Call Election For Ballot Measures
August 9		-88		Last Day to Withdraw Initiative Petition
August 9	by 5:00 pm	-88		Last Day for County to Receive Resolutions Requesting Consolidation & Services
August 9		-88	(or -85)	Last Day to File Nomination Papers
August 10		-87		Deadline to Withdraw Candidate Statement
See County Calendar				Last Day to File Rebuttal Arguments / 10 Days after Arguments
August 14		-83		Last Day to File Nomination Papers – Extended Filing Period if incumbent fails to file
August 14		-83		Last Day to Withdraw Measure(s) from Ballot
August 15		-82		Deadline to Withdraw Candidate Statement - ONLY for Extended Filing Period
August 15		-82		Secretary of State to Determine Order of Names on Ballot
August 19	or August 26	-78	-71	Last Day of Public Review Period for Candidates Statements
August 22		-75		Last Day to Cancel Election – Insufficient Candidates
September 9	to October 22	-57	-14	Filing Period for Write-In Candidate
Check FPPC Filing Schedule				Last Day to File Campaign Expenditure Statements - 1st Pre-election Statement
October 7		-29		First Day for Mailing Vote by Mail Voter Ballot Packets
October 7		-29		Application for Vote by Mail Voter's Ballot
October 15		-21		Last Day to Mail Voter Information Guides and Polling Place/Vote Center Notices
October 21		-15		Last Day to Register to Vote
October 22		-14		Last Day to File for Write-In Candidate
Check FPPC Filing Schedule				Last Day to File Campaign Expenditure Statements - 2nd Pre-election Statement
October 29		-7		Last Day for Elections Official to Publish Notice of Nominees
November 4		-1		Last Day for Council to Adopt Procedures to Resolve Tie Vote
November 5		0		★ ELECTION DAY ★
November 7		2		Begin Posting Updated Election Results: Internet Website
November 8	<i>MAIL BALLOT ELECTION ONLY</i>	3		Last Day to Receive Vote by Mail Voter Ballots If Postmarked on Election Day
November 12		7		Last Day to Receive Vote by Mail Voter Ballots If Postmarked on Election Day
December 3		28		Last Day to Receive "Signature Verification Statements" for Vote by Mail Voter Ballots
December 3		28		Last Day to Receive Signed "Unsigned Identification Envelope Statement" for Vote by Mail Voter Ballots
No Later Than	December 5	30		Elections Official to Complete Canvass of Returns
Within 5 days of completing the semi-official canvass above				Elections Official to Hand Tally the Undervotes of a Write-In Candidate if requested by a Write-In Candidate
No Later Than	December 5	30		Elections Official to Conduct Manual Tally
No Later Than	December 5	30		Last Day for County to Certify Results
December 5	to December 20	E+30 to E+45		City to Declare Results, Reorganize Council and Choose Mayor Pro Tem (and Mayor if applicable) - EVEN YEAR
(30 days after Assuming Office)		FPPC		Filing of Statement of Economic Interests
January 31	<i>semi-annual</i>			Last Day to File Campaign Expenditure Statements - Semi-Annual Statement
July 31	<i>semi-annual</i>			Last Day to File Campaign Expenditure Statements - Semi-Annual Statement
April 1	<i>every odd year</i>			Last Day to Submit Report on Measures to Secretary of State

For dates that fall on a Saturday, Sunday, or holiday, typically use the next regular business day for transactions. Check with your Elections Official for these dates!

Disclaimer: MCADirect is not the Elections Official therefore our information may differ based on your county relating to this election. Our Calendar Guide does not replace your counties date(s), deadline(s), information, or guidelines pertaining to this election. This document contains our interpretation, summarization and suggestion based on the California Elections Code as an outline only. It is suggested to always refer to your Elections Official and City Attorney or legal counsel for matters pertaining to your election, MCADirect/MCADirect LLC assumes no responsibility. The contents of this document are copyrighted & sole property of MCADirect LLC. Our Calendar Guide and all contents may not be reproduced, resold, redistributed or retransmitted in any form including in electronic form without written permission from MCADirect LLC. No part of the document is to be shared or provided to anyone other than the direct municipal purchaser.

GENERAL MUNICIPAL ELECTION
NOVEMBER 5, 2024
(E.C. §§ 1301, 9200 et seq., 10002, 10100 et seq.)

The materials contained in this calendar represent the research and opinions of the staff at the Riverside County Registrar of Voters. The contents of this calendar and any legal interpretations contained herein are not to be relied upon as being correct either factually or as a legal opinion. Reliance on the content without prior submission to and approval of your appropriate public counsel is at the reader's risk.

Please call (951) 486-7200 if you have any questions or comments or visit our website at www.voteinfo.net. Thank you.

DATE	PERSON RESPONSIBLE	DESCRIPTION
June 28 (130)	City Council	<p><i>ADOPT RESOLUTION CALLING ELECTION (E.C. §§ 330, 10002, 10403.5, 13307)</i></p> <p>By this suggested date adopt resolutions regarding the following:</p> <ul style="list-style-type: none"> ■ Ordering election including incumbents and offices to be filled. ■ Requesting Registrar of Voters to conduct the election. ■ Regulations whether candidates or the city will pay for candidate statements.
July 1 – July 15 (127 – 113)	City Clerk	<p><i>PUBLISH NOTICE OF ELECTION (E.C. § 12101; G.C. §§ 6060, 6061)</i></p> <p>Publish Notice of Election one time between these dates. The notice will include the date and time of the election, nomination deadline, the offices to be filled, and hours the Vote Centers will be open. The Notice is to be published in a newspaper of general circulation published in the City. Federal law requires publication to be made in English and Spanish.</p>
July 3 (125)	City Council	<p><i>BOUNDARY CHANGES (E.C. § 12262)</i></p> <p>Last-day boundary changes may be made for this election.</p>
July 4	Registrar of Voters	<p><i>INDEPENDENCE DAY (CO. ORD. 358.8)</i></p> <p>The Registrar of Voters office will be closed.</p>
July 8 (120)	City Council / City Clerk	<p><i>THE LAST DAY TO ADOPT REGULATIONS REGARDING CANDIDATE STATEMENTS (E.C. § 13307)</i></p> <p>Last day for a local agency to adopt or amend regulations regarding charges for printing a candidate's statement.</p>
July 12 (116)	Registrar of Voters	<p><i>PRECINCT SECTION TO COMPLETE BOUNDARY CHANGES</i></p> <p>No later than this date, the precinct section must complete boundary changes.</p>
July 15 – August 9 (113 – 88)	Candidates / City Clerk	<p><i>NOMINATION PERIOD (E.C. §§ 10220, 10224, 13107, 13307, 13309, 13311; G.C. §§ 36503, 87201 et seq.)</i></p> <p>Between these dates, candidates may obtain and file nomination papers with the City Clerk during normal business hours as posted. The Ballot Designation Worksheet must be filed at the same time as the Declaration of Candidacy. Candidate statements must be filed at the same time nomination petitions are filed. Statements are confidential until the deadline for filing has passed. Statement of Economic Interest must be filed by the final filing date.</p>

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DATE	PERSON RESPONSIBLE	DESCRIPTION
July 15 – August 9 (113 – 88)	Candidates / City Clerk	<p><i>CODE OF FAIR CAMPAIGN PRACTICES (E.C. § 20400 et seq.)</i></p> <p>At the time a candidate is issued nomination papers each candidate will be issued a Code of Fair Campaign Practices. Filing it is voluntary and it may be filed any time before the election. It is available for public inspection until 30 days after the election.</p>
July 15 – August 9 (113 – 88)	Candidates / City Clerk	<p><i>STATEMENT OF ECONOMIC INTEREST (G.C. §§ 87200 et seq.)</i></p> <p>A Statement of Economic Interests must be filed for all candidates by the close of the nomination period.</p>
August 9 (88)	Candidates / City Clerk	<p><i>LAST DAY TO FILE NOMINATION PAPERS AND/OR WITHDRAW (E.C. § 10220 et seq.)</i></p> <p>Nomination papers and candidate statements must be filed no later than this date. Candidates may withdraw their nomination until the close of the nomination period.</p> <p> <i>PUBLIC EXAMINATION PERIOD (E.C. § 13313)</i> There will be a 10-day examination period for Candidate Statements filed from August 10 through August 19.</p>
August 9 (88)	City Clerk	<p><i>ORDINANCE / MEASURE (E.C. §§ 9222, 9223, 13247)</i></p> <p>Last day for a copy of the ordinance or measure to be submitted to the Registrar of Voters if a measure is to be included on the ballot. A copy shall be made available to any voter. The statement of all measures submitted to the voters shall be abbreviated on the ballot. The statement shall contain no more than 75 words for each measure to be voted on.</p>
August 9 (88)	City Clerk	<p><i>PUBLISH NOTICE OF ELECTION (E.C. §12111; G.C. §§ 6060, 6061)</i></p> <p>The City Clerk shall publish a notice of election as soon as possible pursuant to section 12111 of the California Elections Code. A synopsis of the measure(s) shall be included in the publication. Government Code § 6061 requires the notice to be published once. The last day to submit arguments to the City Clerk should also be included in the notice. The City Clerk shall consolidate the notice of election and the notice of measure to be voted on into one notice if the measure was placed on the ballot before the notice of election is published.</p>
August 12 (85)	Candidates / City Clerk	<p><i>LAST DAY TO WITHDRAW CANDIDATE STATEMENTS (E.C. § 13307)</i></p> <p>The last day to withdraw candidate statements unless there is an extension of the nomination period. Withdrawal of candidate statements must be in writing to the City Clerk.</p>

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NOVEMBER 5, 2024
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DATE	PERSON RESPONSIBLE	DESCRIPTION
August 14 (83)	Candidates / City Clerk	<p><i>EXTENSION OF NOMINATION PERIOD (E.C. § 10225)</i></p> <p>If nomination papers for an incumbent officer of the city are not filed by the 88th day before the election, during normal business hours, as posted, the voters shall have until the 83rd day before the election during normal business hours, as posted, to nominate candidates other than the person who was the incumbent on the 88th day, for that incumbent's elective office. This is not applicable where there is no incumbent eligible to be elected. If this section is applicable, a candidate may withdraw his or her declaration of candidacy until the 83rd day before the election.</p> <p>FLAG <i>PUBLIC EXAMINATION PERIOD (E.C. § 13313)</i> There will be a 10-day examination period for Candidate Statements filed from August 15 through August 24.</p>
August 14 (83)	City Council	<p><i>LAST DAY TO WITHDRAW MEASURE (E.C. § 9605)</i></p> <p>Whenever a legislative body has ordered that a measure be submitted to the voters of any jurisdiction at an election, the order of election shall not be amended or withdrawn after this date.</p>
August 14 (83)	City Clerk / City Council	<p><i>INSUFFICIENT NOMINEES - POSSIBLE PROCEDURES (E.C. § 10229)</i></p> <p>If on this date no one or only one person has been nominated, the officer conducting the election shall inform the governing body that it may, at a regular meeting or special meeting held before the election, adopt one of the following:</p> <ol style="list-style-type: none"> 1. Appoint the person who was nominated. 2. If no one has been nominated, appoint any eligible elector. 3. Hold the election. <p>The provisions of this section shall not apply if, at the regularly scheduled municipal election, more than one person has been nominated to another city office to be elected on a citywide basis or, a city measure has qualified and is to be submitted to the voters at that municipal election.</p> <p><i>PUBLISH NOTICE OF FACTS (G.C. § 6061)</i></p> <p>The City Clerk shall publish a notice of the facts described in this section and the courses of action available. After the fifth day following the date of publication, the City Council may make the appointment or direct an election to be held.</p>
August 15 (82)	Candidates / City Clerks	<p><i>WITHDRAW CANDIDATE STATEMENT (EXTENSION) (E.C. §§ 10516, 13307)</i></p> <p>In the event there is an extension of the nomination period, candidates may have until this date to withdraw their candidate statement. Withdrawal must be in writing to the City Clerk.</p>
August 15 (82)	Secretary of State	<p><i>RANDOMIZED ALPHABET (E.C. § 13112)</i></p> <p>On this date, the Secretary of State shall conduct a drawing of the alphabet for determining the order of candidates' names on the ballot.</p>

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NOVEMBER 5, 2024
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DATE	PERSON RESPONSIBLE	DESCRIPTION
August 16 (81)	City Clerk	<p><i>SUBMIT NAMES OF CANDIDATES TO THE REGISTRAR OF VOTERS (E.C. § 10403)</i></p> <p>The last day to submit to the Registrar of Voters names and ballot designations of candidates as they are to appear on the ballot. The Certified List should be submitted in alphabetical order by the office.</p>
August 19 (78)	City Clerk	<p><i>PUBLISH NOMINEES (E.C. § 12110)</i></p> <p>Suggested date to publish candidate's names in the random order that they will appear on the ballot, and the respective offices for which they have been nominated.</p>
August 19 (78)	City Attorney / City Clerk	<p><i>IMPARTIAL ANALYSIS OF MEASURE (E.C. § 9280)</i></p> <p>The governing body may direct the City Clerk to transmit a copy of the measure to the City Attorney. This is the suggested date for the City Attorney to prepare and submit an analysis of measure showing the effect it will have on the existing law, etc. if so, directed by the governing body. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city. The analysis shall be printed in the Voter Information Guide section of the Sample Ballot preceding the arguments. The impartial analysis shall not exceed 500 words. In the event the entire text of the measure is not printed on the ballot or in the Voter Information Guide section portion of the County Voter Information Guide, there shall be immediately below the impartial analysis a statement notifying voters that they may obtain a copy of the ordinance or measure by calling the City Clerk's office and requesting one.</p> <p> <i>PUBLIC EXAM PERIOD (E.C. § 9295)</i> There will be a 10-day examination period from August 20 through August 29.</p>
August 19 (78)	Proponents / Opponents / City Clerk	<p><i>LAST DAY TO FILE ARGUMENTS (E.C. §§ 9282, 9283, 9286)</i></p> <p>The last date to file arguments with the City Clerk regarding any measure to be on the ballot. Arguments shall not exceed 300 words and shall be accompanied by a Statement of Authors form. No more than five authors may sign the statement. City Clerk to forward a file copy of the arguments to the Registrar of Voters.</p> <p> <i>PUBLIC EXAMINATION PERIOD (E.C. § 9295)</i> There will be a 10-day examination period from August 20 through August 29.</p>

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DATE	PERSON RESPONSIBLE	DESCRIPTION
August 22 (75)	City Council	<p><i>INSUFFICIENT NOMINEES – ACTION BY GOVERNING BODY (E.C. § 10229)</i></p> <p>If by the 75th day before the municipal election, no person has been appointed to office pursuant to E.C. § 10229, the election will be held.</p> <p>Notwithstanding Chapter 1 (commencing with Section 8600) of Division 8 or any other provision of the law to the contrary, if the governing body of the city makes an appointment pursuant to E.C. § 10229, the City Clerk shall not accept for filing any statement of write-in candidacy, which is submitted after the appointment.</p>
August 29 (68)	Proponents / Opponents / City Clerk	<p><i>LAST DAY TO FILE REBUTTALS TO ARGUMENTS (E.C. § 9285)</i></p> <p>Last date for authors of primary arguments to file rebuttals to arguments with the City Clerk. Rebuttals are limited to 250 words.</p> <p>NOTE: Rebuttals only apply when the legislative body has adopted provisions pursuant to E.C. § 9285</p> <p> <i>PUBLIC EXAM PERIOD (E.C. § 9295)</i> There will be a 10-day examination period from August 30 through September 8.</p>
September 2	Registrar of Voters	<p><i>LABOR DAY (CO. ORD. 358.8)</i></p> <p>The Registrar of Voters office will be closed.</p>
September 9 (57)	Candidates / City Clerk	<p><i>FIRST DAY NOMINATION PAPERS FOR WRITE-IN CANDIDACY WILL BE AVAILABLE (E.C. §§ 8600 et seq.)</i></p> <p>Any qualifying person wishing to file as a write-in candidate may pick up nomination papers beginning on this date. Papers must be filed with the City Clerk no later than 14 days before Election Day. Write-in candidates must also file Statement of Economic Interest and campaign disclosure statements.</p>
September 10 (56)	Registrar of Voters	<p><i>ORDER PRINTING OF ELECTION MATERIAL</i></p> <p>Suggested date to prepare copy for printer and order ballots.</p>
September 22 – September 26 (44 – 40)	Candidates / Committees / City Clerk	<p><i>FILING PERIOD FOR FIRST PRE-ELECTION CAMPAIGN DISCLOSURE STATEMENT (G.C. §§ 84200.5, 84200.8)</i></p> <p>The filing period for 1st pre-election campaign statement covers transactions through September 21. Statements must be filed online or sent by personal delivery or first-class mail.</p>

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DATE	PERSON RESPONSIBLE	DESCRIPTION
September 23 (43)	Registrar of Voters	<p>SATELLITE LOCATION PRESS RELEASE (E.C. § 3018)</p> <p>Notice of satellite locations shall be made by the elections official by the issuance of a general news release, issued not later than 14 days before voting at the satellite location, except that in a county with a declared emergency or disaster, notice shall be made not later than 48 hours before voting at the satellite location. The news release shall set forth the following information:</p> <ul style="list-style-type: none"> ■ The satellite location or locations. ■ The dates and hours the satellite location or locations will be open. ■ A telephone number that voters may use to obtain information regarding vote-by-mail ballots and the satellite locations.
September 26 – October 26 (40 – 10)	Registrar of Voters	<p>MAIL COUNTY VOTER INFORMATION GUIDE AND OTHER ELECTION MATERIALS TO VOTERS (E.C. §§ 9223, 9280 et seq., 13303, 13307; G.C. § 57148)</p> <p>Between these dates, the Registrar of Voters shall mail a County Voter Information Guide to each voter, who is registered at least 29 days before the election.</p>
October 4	Registrar of Voters	<p>VOTE-BY-MAIL PROCESSING PUBLIC NOTICE (E.C. § 15104)</p> <p>The elections official shall notify vote-by-mail voter observers and the public at least 48 hours in advance of the dates, times, and places where Vote-by-Mail ballots will be processed and counted.</p>
October 7 (29)	Registrar of Voters	<p>MAIL VOTE-BY-MAIL BALLOTS (E.C. §§ 3000.5, 3010, 3017, 3018, 3020)</p> <p>Begin mailing each registered voter a Vote-by-Mail ballot and election material. Ballots must be postmarked on or before Election Day and received by the elections official within seven days after Election Day to be counted.</p>
October 7 (29)	Registrar of Voters	<p>PROCESS BALLOTS (E.C. § 15101 et. seq.)</p> <p>When ballots are to be counted by computer, the Registrar of Voters may begin processing ballots on the 29th day before the election. No count may be made until 8:00 p.m. on Election Day.</p>
October 7 (29)	Registrar of Voters	<p>PRECINCTS, VOTE CENTERS & ELECTION OFFICERS (E.C. §§ 12280 et seq., 12300 et seq.)</p> <p>The last day for the Registrar of Voters to establish Vote Centers and appoint Election Officers for this election. Immediately following the appointment, the Registrar shall mail appointment notices to Election Officers.</p>
October 7 – October 26 (29 – 10)	Registrar of Voters	<p>PUBLISH VOTE CENTERS & CENTRAL COUNTING PLACE (E.C. §§ 12105, 12109)</p> <p>Suggested date to publish Vote Centers. The notice will include the hours that the Vote Centers will be open and a Notice of Central Counting Place.</p>

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October 7– October 29 (29 – 7)	Registrar of Voters	<i>VOTE-BY-MAIL BALLOT APPLICATIONS (E.C. §§ 3001, 3003)</i> Applications for Vote-by-Mail ballots may be made in person or by mail during this time frame.
October 14	Registrar of Voters	<i>COLUMBUS DAY & INDIGENOUS PEOPLES' DAY (CO. ORD. 358.8)</i> The Registrar of Voters office will be closed.
October 20 – October 24 (16 – 12)	Candidates / Committees / City Clerk	<i>FILING PERIOD FOR SECOND PRE-ELECTION CAMPAIGN DISCLOSURE STATEMENT (G.C. §§ 84200.5, 84200.8)</i> The filing period for 2 nd pre-election campaign statement covers transactions through October 19. Statements must be filed online or sent by personal delivery or guaranteed overnight service.
October 21 (15)	Registrar of Voters	<i>COLLECTION CENTERS PUBLIC NOTICE (E.C. § 15260)</i> In establishing a collection center, the elections official may designate a group of precincts which the center shall serve, and this designation shall be available for public inspection no later than 15 days before the election.
October 21 (15)	Registrar of Voters	<i>CLOSE OF REGISTRATION (E.C. §§ 2102, 2106)</i> The last day to register or transfer registration for this election.
October 22 (14)	Candidates / City Clerk	<i>FILE DECLARATION OF WRITE-IN CANDIDACY (E.C. §§ 8600 et seq., 15340 et seq.)</i> The last day for write-in candidates to submit their write-in nomination papers including petitions to the City Clerk.
October 22 – October 29 (14 – 7)	Registrar of Voters	<i>POST ELECTION OFFICERS & VOTE CENTERS (E.C. § 12105.5)</i> Not less than one week before the election, the elections official shall post a list of all current Vote Centers and a list of Election Officers appointed by the 15 th day before the election. The elections official shall post this list in his or her office and on his or her Web site. The list shall remain posted for 30 days after completion of the canvass.
October 28 (8)	Registrar of Voters	<i>LIST OF VOTERS AND VOTE CENTERS INFORMATION</i> The approximate date that the Registrar of Voters will provide a list of voters to the City Clerk with Vote Centers information.
October 29 (7)	Registrar of Voters	<i>LOGIC AND ACCURACY TESTING (E.C. § 15000)</i> No later than seven days before any election, the elections official shall conduct a test or series of tests to ensure that every device used to tabulate ballots accurately records each vote.
November 1 (4)	Registrar of Voters	<i>MANUAL TALLY PUBLIC NOTICE (E.C. § 15360)</i> The manual tally shall be a public process, with the official conducting the election providing at least a five-day public notice of the time and place of the manual tally and of the time and place of the selection of the precincts to be tallied before conducting the tally and selection.

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DATE	PERSON RESPONSIBLE	DESCRIPTION
November 5		<p><i>ELECTION DAY (E.C. §§ 3020, 4103)</i></p> <p>Voted ballots must be received by the elections official no later than 8:00 p.m. on Election Day or be postmarked on or before Election Day and received no later than seven days after Election Day to be counted.</p>
November 7 (+2)	Registrar of Voters	<p><i>CANVASS ELECTION RETURNS (E.C. §§ 10260 et seq., 15301 et seq.)</i></p> <p>Registrar of Voters shall commence the official canvass on this day.</p>
November 7 – December 5 (+2 – 30)	Registrar of Voters	<p><i>ONE PERCENT MANUAL TALLY (E.C. § 15360)</i></p> <p>During the Official Canvass, the Elections Official shall conduct a public manual tally in 1 percent of the precincts chosen at random by the elections official.</p>
November 11	Registrar of Voters	<p><i>VETERANS DAY (CO. ORD. 358.8)</i></p> <p>The Registrar of Voters office will be closed.</p>
November 28 – November 29	Registrar of Voters	<p><i>THANKSGIVING DAY / DAY AFTER THANKSGIVING (CO. ORD. 358.8)</i></p> <p>The Registrar of Voters Office will be closed.</p>
December 3 (+28)	Registrar of Voters	<p><i>POST ELECTION OFFICERS & VOTE CENTERS (E.C. § 12105.5)</i></p> <p>Not later than 28 days after the election, the elections official shall post an updated list of Vote Centers and Election Officers that served on Election Day. The elections official shall post this list in their office and on their Web site. The list shall remain posted for 30 days after completion of the canvass.</p>
December 5 (+30)	Registrar of Voters	<p><i>STATEMENT OF RESULTS (E.C. §15372)</i></p> <p>No later than this date, the Registrar of Voters will certify the election results.</p>
December 5 (+30)	City Clerk / City Council / Candidates	<p><i>DECLARE CANDIDATES ELECTED (E.C. §§ 10262, 10263)</i></p> <p>The governing body shall meet at its usual place of meeting no later than the next regularly scheduled city council meeting following the presentation of the canvass of the returns, or at a special meeting called for this purpose, to declare the results and to install the newly elected officers.</p>
December 5 (+30)	Registrar of Voters	<p><i>COST OF ELECTION</i></p> <p>Approximate date to send an invoice to jurisdiction for the cost of the election.</p>
January 1 – January 31	Candidates / Committees / City Clerk	<p><i>FILING PERIOD FOR SEMI-ANNUAL CAMPAIGN DISCLOSURE STATEMENT (G.C. § 84200)</i></p> <p>The statement covers transactions through December 31. Statements must be filed online or sent by personal delivery or first-class mail.</p>

Note: Whenever a date prescribed by law falls on a weekend or holiday, such act may be performed on the next business day (E.C. § 15; G.C. §§ 6700, 6701)

**SECRETARY OF STATE
BALLOT DESIGNATION REGULATIONS**

SECRETARY OF STATE BALLOT DESIGNATION REGULATIONS

Chapter 7. Ballot Designations

§ 20710. General Provisions.

- (a) The regulatory purpose of this Chapter is to ensure the accurate designation of the candidate upon the ballot in order that an informed electorate may intelligently elect one of the candidates.
- (b) The Secretary of State shall, at all times, apply and interpret the provisions of Elections Code § 13107 and the regulations included in this Chapter in a manner consistent with the regulatory purpose of this Chapter.
- (c) Candidates are not required to use a ballot designation pursuant to Elections Code § 13107, subdivision (a), and may opt to leave the space for such a designation on the ballot blank. In order to notify the elections official as to whether he or she will use a ballot designation or will opt to leave the ballot designation space blank, the candidate must initial the appropriate box on the Declaration of Candidacy or otherwise so indicate on the Declaration of Candidacy.
- (d) Pursuant to Elections Code § 13107, subdivision (a), a candidate may submit a proposed ballot designation pursuant to any one of the four provisions specified in Elections Code § 13107, subdivision (a), subparts (1) through (4), applicable to that candidate. The candidate shall be free to select from which of the applicable four subparts he or she is submitting his or her proposed ballot designation.
- (e) The regulations set forth in this Chapter shall apply only to elections held for offices for which elections returns are certified by the Secretary of State of the State of California.
- (f) Whenever, the word "should" is used in this Chapter, it is recommended, not mandatory.

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

§ 20711. Ballot Designation Worksheet.

- (a) In order to facilitate review of a candidate's proposed ballot designation by the Secretary of State pursuant to Elections Code § 13107, the candidate shall submit, at the time of filing his or her proposed ballot designation on the Declaration of Candidacy, a completed Ballot Designation Worksheet on a form provided by the Secretary of State.

(b) All Ballot Designation Worksheets filed with the Office of the Secretary of State or the county elections officials pursuant to this section shall be public records and shall be available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, Fifth Floor, 1500 11th Street, Sacramento, California 95814, or at the office of the applicable county elections official.

(c) The Secretary of State shall provide a master copy or copies of the Ballot Designation Worksheet to all elections officials responsible for providing and accepting the nomination documents for candidates in elections for offices certified by the Secretary of State. The Ballot Designation Worksheet shall request that the candidate proposing the ballot designation provide the following information:

(1) The candidate's name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number;

(2) A designation of the office for which the candidate is seeking election;

(3) The name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number of the attorney representing the candidate or for any other person to be contacted in the event the Secretary of State requires further information regarding the proposed ballot designation;

(4) The proposed ballot designation submitted by the candidate;

(5) The candidate may submit one or more proposed alternate ballot designations ranked in order of the candidate's preference;

(6) A brief statement identifying the factual basis upon which the candidate claims the proposed ballot designation and each proposed alternate ballot designation, including the following:

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

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

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

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

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

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

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

Note: Authority cited: Section 12172.5, Government Code.

Reference: Sections 13107, 13107.3, Elections Code.

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

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

- (a) In the case of candidates holding elective city, county, district, state, or federal office, the candidate's ballot designation shall be the elective office which the candidate holds at the time of filing the nomination documents.
- (b) In the case of judicial officers, the candidate's ballot designation shall be the elective office which the candidate holds at the time of filing the nomination documents.

(c) There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code § 13107, subdivision (a)(1).

(d) Proposed ballot designations indicating a position of legislative leadership or leadership in another elected body, such as "Majority Leader of the California Senate," "Minority Leader of the California State Assembly," "Speaker of the California State Assembly," "President Pro Tempore of the California State Senate," "City of Orange Mayor Pro Tem," and the like, are not elective offices described in Elections Code § 13107, subdivision (a)(1). Such ballot designations are improper, pursuant to Elections Code § 13107, subdivision (a)(1). They may, however, subject to the three-word limit, be considered under the provisions of § 13107(a)(3). Examples of acceptable ballot designations under this section include, but are not limited to, "Assembly Minority Leader," "California Assembly Speaker," and "Mayor Pro Tem."

(e) Proposed ballot designations indicating that the candidate is a member of the state or county central committee of a political party, or an officer of a state or county central committee of a political party, are improper, as such positions do not constitute elective county or state offices as specified in Elections Code § 13107, subdivision (a)(1).

Note: Authority cited: Section 12172.5, Government Code.

Reference: Section 13107, Elections Code.

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

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

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

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

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

Note: Authority: Section 12172.5, Government Code

Reference: Section 13107, Elections Code

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

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

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

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

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

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

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

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

license fees and (ii) the status of the candidate's license is active at the time he or she filed his or her nomination documents.

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

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

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

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

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

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

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

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

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

(2) Punctuation shall be limited to the use of a comma (e.g., District Attorney, Los Angeles County) and a slash (e.g., Legislator/Rancher/Physician), pursuant to subdivision (e) of this section. A hyphen may be used if, and only if, the use of a hyphen is called for in the spelling of a word as it appears in a standard reference dictionary of the English language, which was published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted.

(3) All California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. The names of special districts and political subdivisions are not "geographical names," as that term is used in Elections Code § 13107, subdivision (a)(3). If the candidate desires, the geographical name may be used in the form of "City of . . . , " "County of . . . , " or "City and County of . . ." Examples of geographical names considered to be one word include Tehama County, Los Angeles County and County of Sacramento. Examples of designations containing a special district or political subdivision that are not geographical names include "Butte County Rural Fire District Captain," "Huntington Beach Unified School District President," and "South Bay Irrigation District Director."

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

(g) A candidate who chooses to include the name of his or her elective office with another profession, vocation, or occupation may do so pursuant to Elections Code section 13107(a)(3), but that ballot designation shall be limited to no more than three words. Examples of acceptable designations under this section include "State Senator/Rancher," "California Assemblywoman/Attorney," "County Supervisor/Teacher," and "State Controller/Businessman." Examples of unacceptable designations under this section include "Assemblyman, 57th District/Educator," "California State Senator/Architect," "Placer County Supervisor/Business Owner," and "Member, Board of Equalization/Banker."

Note: Authority cited: Section 12172.5, Government Code.

Reference: Sections 9, 13107, Elections Code.

§ 20714.5. “Community Volunteer.”

(a) “Community Volunteer” means a person who engages in an activity or performs a service for or on behalf of, without profiting monetarily, one or more of the following:

(1) A charitable, educational, or religious organization as defined by the United States Internal Revenue Code section 501(c)(3);

(2) A governmental agency; or

(3) An educational institution.

(b) The activity or service must constitute substantial involvement of the candidate’s time and effort such that the activity or service is the sole, primary, main or leading professional, vocational or occupational endeavor of the candidate within the meaning of subdivisions (a) and (b) of section 20714 of this Chapter.

Note: Authority cited: Section 12172.5, Government Code; Section 13107.5(b), Elections Code.

Reference: Sections 13107 and 13107.5, Elections Code; Section 501(c)(3), United States Internal Revenue Code.

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

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

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

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

Note: Authority: Section 12172.5, Government Code

Reference: Section 13107, Elections Code

§ 20716. Unacceptable Ballot Designations.

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

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

(1) Avocations: An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and in addition to the candidate's principal profession, vocation or occupation. Avocations may include, but are not limited to, hobbies, social activities, volunteer work (except as set forth in Section 20714.5 of this Chapter), and matters pursued as an amateur.

(2) Pro Forma Professions, Vocations and Occupations: Pro forma professions, vocations or occupations are positions held by the candidate which consume little or none of the candidate's time and which, by their nature, are voluntary or for which the candidate is not compensated, except as set forth in Section 20714.5 of this Chapter. Pro forma professions, vocations and occupations may include, but are not limited to, such pursuits as honorary peace officer, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess and the like.

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

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

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

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

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

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

(h)(1) Subject to the provisions of Elections Code § 13107, subdivision (b)(4), use of the word "retired" in a ballot designation is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation.

(2) In evaluating a proposed ballot designation including the word "retired," the Secretary of State will consider the following factors in making a determination as to the propriety of the use of the term "retired":

(A) Prior to retiring from his or her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than 5 years;

(B) The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension;

(C) The candidate has reached at least the age of 55 years;

(D) The candidate voluntarily left his or her last professional, vocational or occupational position; and,

(E) The candidate's retirement benefits are providing him or her with a principal source of income.

(3) If a candidate is requesting a ballot designation that he or she is a retired public official, the candidate must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office. If such a candidate did not voluntarily retire from public office, he or she may not use the word "retired" in his or her ballot designation.

(4) A candidate may not use the word "retired" in his or her ballot designation if that candidate possesses another more recent, intervening principal profession, vocation, or occupation.

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

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

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

(2) If the candidate is a member of the clergy, the candidate may not make reference to his or her specific denomination. However, the candidate may use his or her clerical title as a ballot designation (e.g., "Rabbi," "Pastor," "Minister," "Priest," "Bishop," "Deacon," "Monk," "Nun," "Imam," etc.)

(k) Pursuant to Elections Code § 13107, subdivision (b)(7), the Secretary of State shall reject as unacceptable any proposed ballot designation which refers to any activity prohibited by law. Unlawful activity includes any activities, conduct, professions, vocations, or occupations prohibited by state or federal law.

Note: Authority cited: Section 12172.5, Government Code.

Reference: Section 13107, Elections Code.

§ 20717. Requests for Supporting Documentation.

In addition to the Ballot Designation Worksheet required to be filed with the Secretary of State pursuant to Elections Code § 13107.3 and § 20711 of this Chapter, the Secretary of State may request that a candidate submit additional supporting documentation or other evidence to support the proposed ballot designation.

- (a) Time is of the essence regarding all matters pertaining to the review of proposed ballot designations submitted by candidates for public office. Failure to promptly submit requested supporting materials will preclude consideration of such materials in and the rendering of a final decision on the candidate's proposed ballot designation.
- (b) The Secretary of State will communicate, whenever possible, with the candidate in the most expeditious manner, including, but not limited to, telephone, facsimile transmission and electronic mail at the number or address provided by the candidate. When the candidate does not have reasonable access to a facsimile machine or electronic mail, the Secretary of State will transmit written communication to the candidate by means of overnight express delivery to the address provided by the candidate.
- (c) The candidate shall have the burden of establishing that the proposed ballot designation that he or she has submitted is accurate and complies with all provisions of Elections Code § 13107 and this Chapter.

Note: Authority cited: Section 12172.5, Government Code.

Reference: Sections 13107, 13107.3, Elections Code.

§ 20718. Communication of Decisions Regarding Ballot Designations.

- (a) If a candidate's proposed ballot designation has been rejected, an official copy of the decision of the Secretary of State will be made in writing and transmitted directly to the candidate by registered or certified mail, return receipt requested, to the address provided by the candidate. The Secretary of State shall also provide a copy to the elections official in the candidate's county of residence and to the elections official of each county within the political subdivision. Copies may also be made available to all other candidates in the race.
- (b) At the request of the candidate, the Secretary of State will transmit a copy of the decision of the Secretary of State regarding the candidate's proposed ballot designation by facsimile transmission or e-mail to the facsimile number or e-mail address listed on the candidate's Ballot Designation Worksheet.
- (c) All written decisions of the Secretary of State regarding ballot designations are public records and are available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, 1500 11th Street, Fifth Floor, Sacramento, California 95814.

Note: Authority cited: Section 12172.5, Government Code.

Reference: Section 13107, Elections Code.

§ 20719. Service of Legal Process Regarding Ballot Designations.

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

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

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

(d) The Secretary of State shall be named as a respondent in any legal action pertaining to a ballot designation for a candidate described in Elections Code § 15375, except for a candidate for judge of the superior court.

Note: Authority cited: Section 12172.5, Government Code.

Reference: Sections 13107, 13314, Elections Code.

SECRETARY OF STATE BALLOT DESIGNATION GUIDELINES

20711. Ballot Designation Worksheet.

1. In order to facilitate review of a candidate's proposed ballot designation by the Secretary of State pursuant to Elections Code Section 13107, the candidate shall submit, at the time of filing his or her proposed ballot designation on the Declaration of Candidacy, a completed Ballot Designation Worksheet on a form provided by the Secretary of State.
2. All Ballot Designation Worksheets filed with the Office of the Secretary of State or the county elections officials pursuant to this section shall be public records and shall be available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, Fifth Floor, 1500 11th Street, Sacramento, California 95814, or at the office of the applicable county elections official.
3. The Secretary of State shall provide a master copy or copies of the Ballot Designation Worksheet to all elections officials responsible for providing and accepting the nomination documents for candidates in elections for offices certified by the Secretary of State. The Ballot Designation Worksheet shall request that the candidate proposing the ballot designation provide the following information:
 1. The candidate's name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number;
 2. A designation of the office for which the candidate is seeking election;
 3. The name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number of the attorney representing the candidate or for any other person to be contacted in the event the Secretary of State requires further information regarding the proposed ballot designation;
 4. The proposed ballot designation submitted by the candidate;
 5. The candidate may submit one or more proposed alternate ballot designations ranked in order of the candidate's preference;
 6. A brief statement identifying the factual basis upon which the candidate claims the proposed ballot designation and each proposed alternate ballot designation, including the following:
 1. If the candidate holds elected office and is submitting his or her proposed ballot designation pursuant to Elections Code Section 13107, subdivisions (a)(1) or (a)(2), the candidate shall indicate the elective office he or she currently occupies and may attach a copy of his or her Certificate of Election;
 2. If the candidate is a judicial officer and is submitting his or her proposed ballot designation pursuant to Elections Code Section 13107, subdivisions (a)(1) or (a)(2), the candidate shall indicate the elective office he or she currently holds and may attach either

(A) a copy of his or her Certificate of Election or (B) a copy of his or her commission or certificate of appointment, issued at the time the candidate was appointed to the judicial office which he or she currently occupies;

3. If the candidate submits a ballot designation pursuant to Elections Code Section 13107, subdivision (a)(3), the candidate shall indicate:
 1. The title of the position or positions which he or she claims supports the proposed ballot designation;
 2. The dates during which the candidate held such position;
 3. A description of the work he or she performs in the position;
 4. The name of the candidate's business or employer;
 5. The name and telephone number of a person or persons who could verify such information; and
 6. A statement that the professions, vocations or occupations relied upon to support the proposed ballot designation constitute the primary, main or leading professions, vocations or occupations of the candidate, in accordance with the definition of the term "principal" as set forth at Section 20714, subdivision (b).
4. If the candidate submits a ballot designation pursuant to Elections Code Section 13107, subdivision (a)(4), the candidate shall indicate the date on which he or she was appointed to the office for which he or she is an appointed incumbent.
4. The candidate may attach or append any supporting documents or other exhibits to his or her Ballot Designation Worksheet which he or she believes support his or her proposed ballot designation. Such attached documents or other exhibits shall be deemed to be incorporated by reference as part of the candidate's Ballot Designation Worksheet and shall be considered as such by the Secretary of State.
5. If a candidate requests a change of his or her ballot designation pursuant to Elections Code Section 13107(e), that request shall be accompanied by a Ballot Designation Worksheet.

Note: Authority Authority cited: Section 12172.5, Government Code. Reference: Sections 13107 and 13107.3, Elections Code.

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).

2. Amendment of subsections (a), (c)(5), (c)(6)(A)-(C) and (c)(6)(D), new subsection (e) and amendment of Note filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

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

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

1. In the case of candidates holding elective city, county, district, state, or federal office, the candidate's ballot designation shall be the elective office which the candidate holds at the time of filing the nomination documents.
2. In the case of judicial officers, the candidate's ballot designation shall be the elective office which the candidate holds at the time of filing the nomination documents.
3. There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(1).
4. Proposed ballot designations indicating a position of legislative leadership or leadership in another elected body, such as "Majority Leader of the California Senate," "Minority Leader of the California State Assembly," "Speaker of the California State Assembly," "President Pro Tempore of the California State Senate," "City of Orange Mayor Pro Tem," and the like, are not elective offices described in Elections Code Section 13107, subdivision (a)(1). Such ballot designations are improper, pursuant to Elections Code Section 13107, subdivision (a)(1). They may, however, subject to the three-word limit, be considered under the provisions of Section 13107(a)(3). Examples of acceptable ballot designations under this section include, but are not limited to, "Assembly Minority Leader," "California Assembly Speaker," and "Mayor Pro Tem."
5. Proposed ballot designations indicating that the candidate is a member of the state or county central committee of a political party, or an officer of a state or county central committee of a political party, are improper, as such positions do not constitute elective county or state offices as specified in Elections Code Section 13107, subdivision (a)(1).

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

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment of subsection (d) filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

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

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

1. A proposed ballot designation submitted pursuant to Elections Code Section 13107, subdivision (a)(2), is limited "incumbent," as that term is defined in Elections Code s 13107, subdivision (a)(2).
2. The term "incumbent" must be used as a noun. It shall not be used in conjunction with any other words, including any accompanying adjectives or modifiers, and must stand alone. A candidate qualified to use this designation pursuant to Elections Code Section 13107, subdivision (a)(2), shall be entitled to use the ballot designation "Incumbent."
3. The word "incumbent" is strictly limited for use in ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(2), and may not be used as an adjective in any other ballot designation.

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

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).

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

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

1. The terms "profession," "vocation," or "occupation," as those terms are used in Elections Code Section 13107, subdivision (a)(3), are defined as follows:
 1. "Profession" means a field of employment requiring special education or skill and requiring knowledge of a particular discipline. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual. Recognized professions generally include, but are not limited to, law, medicine, education, engineering, accountancy, and journalism. Examples of an acceptable designation of a "profession," as defined in Elections Code Section 13107, subdivision (a)(3), include, but are not limited to, "attorney," "physician," "accountant," "architect," and "teacher."
 2. "Vocation" means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his or her livelihood and spends a major portion of his or her time. As defined, vocations may include, but are not limited to, religious ministry, child rearing, homemaking, elderly and dependent care, and engaging in trades such as carpentry, cabinetmaking, plumbing, and the like. Examples of an acceptable designation of a "vocation," as defined in Elections Code Section 13107, subdivision (a)(3), include, but are not limited to, "minister," "priest," "mother," "father," "homemaker," "dependent care provider," "carpenter," "plumber," "electrician," and "cabinetmaker."
 3. "Occupation" means the employment in which one regularly engages or follows as the means of making a livelihood. Examples of an acceptable designation of an "occupation," as defined in Elections Code Section 13107, subdivision (a)(3), include, but are not limited to, "rancher," "restaurateur," "retail salesperson,"

"manual laborer," "construction worker," "computer manufacturing executive," "military pilot," "secretary," and "police officer."

2. "Principal," as that term is used in Elections Code Section 13107, subdivision (a)(3), means a substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. The term "principal" precludes any activity which does not entail a significant involvement on the part of the candidate. Involvement which is only nominal, pro forma, or titular in character does not meet the requirements of the statute.
 1. If a candidate is licensed by the State of California to engage in a profession, vocation or occupation, the candidate is entitled to consider it one of his or her "principal" professions, vocations or occupations if the candidate has maintained his or her license current as of the date he or she filed his or nomination documents by complying with all applicable requirements of the respective licensure, including the payment of all applicable license fees and the status of the candidate's license is active at the time he or she filed his or her nomination documents.
 2. A candidate who holds a professional, vocational or occupational license issued by the State of California may not claim such profession, vocation or occupation as one of his or her "principal" professions, vocations or occupations if the candidate's licensure status is "inactive" at the time the candidate files his or her nomination document, or the candidate's license has been suspended or revoked by the agency issuing the license at the time the candidate files his or her nomination documents.
3. In order for a ballot designation submitted pursuant to Elections Code Section 13107, subdivision (a)(3), to be deemed acceptable by the Secretary of State, it must accurately state the candidate's principal professions, vocations or occupations, as those terms are defined in subdivisions (a) and (b) herein. Each proposed principal profession, vocation or occupation submitted by the candidate must be factually accurate, descriptive of the candidate's principal profession, vocation or occupation, must be neither confusing nor misleading, and must be in full and complete compliance with Elections Code Section 13107 and the regulations in this Chapter.
4. If the candidate is engaged in a profession, vocation or occupation at the time he or she files his or her nomination documents, the candidate's proposed ballot designation is entitled to consist of the candidate's current principal professions, vocations and occupations. In the event the candidate does not have a current principal profession, vocation or occupation at the time he or she files his or her nomination documents, the candidate may use a ballot designation consisting of his or her principal professions, vocations or occupations, which the candidate was principally engaged in during the calendar year immediately preceding the filing of the candidate's nomination papers.
5. A candidate may engage in multiple principal professions, vocations or occupations. Accordingly, the candidate may designate multiple principal professions, vocations or occupations. If a candidate proposes a ballot designation including multiple principal professions, vocations or occupations, the proposed ballot designation must comply with the following provisions:

1. The proposed ballot designation must comply with the three-word limitation specified in Elections Code Section 13107, subdivision (a)(3), and as implemented pursuant to subdivision (f) herein.
2. Each such proposed profession, vocation or occupation shall be separately considered by the Secretary of State and must independently qualify as a "principal" profession, vocation or occupation, as that term is defined pursuant to subdivision (b) herein.
3. When multiple professions, vocations or occupations are proposed as a ballot designation, they shall be separated by a slash ("/"). An example of an acceptable designation would be "Legislator/Rancher/Physician."
6. Pursuant to Elections Code Section 13107, subdivision (a)(3), the candidate's ballot designation shall be limited to not more than three (3) words. The following rules shall govern the application of the three-word limitation:
 1. The proposed ballot designation shall be grammatically correct, generic, and all words must be spelled correctly.
 2. Punctuation shall be limited to the use of a comma (e.g., District Attorney, Los Angeles County) and a slash (e.g., Legislator/Rancher/Physician), pursuant to subdivision (e) of this section. A hyphen may be used if, and only if, the use of a hyphen is called for in the spelling of a word as it appears in a standard reference dictionary of the English language, which was published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted.
 3. All California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. The names of special districts and political subdivisions are not "geographical names," as that term is used in Elections Code Section 13107, subdivision (a)(3). If the candidate desires, the geographical name may be used in the form of "City of . . .," "County of . . .," or "City and County of . . ." Examples of geographical names considered to be one word include Tehama County, Los Angeles County and County of Sacramento. Examples of designations containing a special district or political subdivision that are not geographical names include "Butte County Rural Fire District Captain," "Huntington Beach Unified School District President," and "South Bay Irrigation District Director."
 4. An acronym shall be counted as one word.
7. A candidate who chooses to include the name of his or her elective office with another profession, vocation, or occupation may do so pursuant to Elections Code section 13107(a)(3), but that ballot designation shall be limited to no more than three words. Examples of acceptable designations under this section include "State Senator/Rancher," "California Assemblywoman/Attorney," "County Supervisor/Teacher," and "State Controller/Businessman." Examples of unacceptable designations under this section include "Assemblyman, 57th District/Educator," "California State Senator/Architect," "Placer County Supervisor/Business Owner," and "Member, Board of Equalization/Banker."

Note: Authority cited: Section 12172.5, Government Code. Reference: Sections 9 and 13107, Elections Code.

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment of subsections (a)(1), (c) and (f)(2)-(3), new subsection (g) and amendment of Note filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

20714.5. "Community Volunteer."

1. "Community Volunteer" means a person who engages in an activity or performs a service for or on behalf of, without profiting monetarily, one or more of the following:
 1. A charitable, educational, or religious organization as defined by the United States Internal Revenue Code section 501(c)(3);
 2. A governmental agency; or
 3. An educational institution.
2. The activity or service must constitute substantial involvement of the candidate's time and effort such that the activity or service is the sole, primary, main or leading professional, vocational or occupational endeavor of the candidate within the meaning of subdivisions (a) and (b) of section 20714 of this Chapter.

Note: Authority cited: Section 12172.5, Government Code; and Section 13107.5(b), Elections Code. Reference: Sections 13107 and 13107.5, Elections Code; and Section 501(c)(3), United State Internal Revenue Code.

HISTORY

1. New section filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

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

1. Pursuant to Elections Code Section 13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of the phrase "appointed incumbent" if the candidate holds an office, other than a judicial office, by virtue of appointment, and the candidate is a candidate for election to the same office. The candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed."
2. Pursuant to Elections Code Section 13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of the word "appointed" in conjunction with the elective office, if the candidate is a candidate for election to the same office or to some other office. The candidate may not use any words designating the office unmodified by the word "appointed."
3. There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(4).

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

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).

20716. Unacceptable Ballot Designations.

1. The Secretary of State shall reject as unacceptable any proposed ballot designation which fails to comply with Elections Code Section 13107, subdivision (a); is prohibited pursuant to Elections Code Section 13107, subdivision (b); is misleading; or is otherwise improper pursuant to the regulations set forth in this Chapter.
2. The following types of activities are distinguished from professions, vocations and occupations and are not acceptable as ballot designations pursuant to Elections Code Section 13107, subdivision (a)(3):
 1. Avocations: An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and in addition to the candidate's principal profession, vocation or occupation. Avocations may include, but are not limited to, hobbies, social activities, volunteer work (except as set forth in Section 20714.5 of this Chapter), and matters pursued as an amateur.
 2. Pro Forma Professions, Vocations and Occupations: Pro forma professions, vocations or occupations are positions held by the candidate which consume little or none of the candidate's time and which, by their nature, are voluntary or for which the candidate is not compensated, except as set forth in Section 20714.5 of this Chapter. Pro forma professions, vocations and occupations may include, but are not limited to, such pursuits as honorary peace officer, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess and the like.
 3. Statuses: A status is a state, condition, social position or legal relation of the candidate to another person, persons or the community as a whole. A status is generic in nature and generally fails to identify with any particular specificity the manner by which the candidate earns his or her livelihood or spends the substantial majority of his or her time. Examples of a status include, but are not limited to, veteran, proponent, reformer, scholar, founder, philosopher, philanthropist, activist, patriot, taxpayer, concerned citizen, husband, wife, and the like.
3. Pursuant to Elections Code Section 13107, subdivision (b)(1), the Secretary of State shall reject as unacceptable any proposed ballot designation which would mislead voters. In making this determination, the Secretary of State shall determine whether there is a substantial likelihood that a reasonably prudent voter would be misled as to the candidate's principal profession, vocation or occupation by the candidate's proposed ballot designation. The determination shall take into account the plain meaning of the words constituting the proposed ballot designation and the factual accuracy of the proposed ballot designation

based upon supporting documents or other evidence submitted by the candidate in support of the proposed ballot designation, pursuant to Section 20711 and 20717 of this Chapter.

4. A ballot designation may not comprise or include commercial identification information, such as a trademark, service mark, tradename, or the specific name of a business, partnership, corporation, company, foundation, or organization. Examples of an improper use of commercial identification information include, but are not limited to, "Acme Company President," "Universal Widget Inventor," "Director, Smith Foundation," "UCLA Professor," and the like.
5. Pursuant to Elections Code Section 13107, subdivision (b)(2), the Secretary of State shall reject as unacceptable any proposed ballot designation which would suggest an evaluation of the candidate's qualifications, honesty, integrity, leadership abilities or character. Any laudatory or derogatory adjectives which would suggest an evaluation of the candidate's qualifications shall not be permitted. Such impermissible adjectives include, but are not limited to, "senior," "emeritus," "specialist," "magnate," "outstanding," "leading," "expert," "virtuous," "eminent," "best," "exalted," "prominent," "famous," "respected," "honored," "honest," "dishonest," "corrupt," "lazy," and the like.
6. Pursuant to Elections Code Section 13107, subdivision (b)(3), the Secretary of State shall reject as unacceptable any proposed ballot designation which abbreviates the word "retired" or places it following any word or words which it modifies. Examples of impermissible designations include "Ret. Army General," "Major USAF, Retired" and "City Attorney, Retired."
7. Pursuant to Elections Code Section 13107, subdivision (b)(4), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed or judicial office previously held by the candidate. Such impermissible words or prefixes include, but are not limited to, "Ex-," "former," "past," and "erstwhile." Examples of impermissible designations include "Former Congressman," "Ex-Senator," and "Former Educator."
8.
 1. Subject to the provisions of Elections Code Section 13107, subdivision (b)(4), use of the word "retired" in a ballot designation is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation.
 2. In evaluating a proposed ballot designation including the word "retired," the Secretary of State will consider the following factors in making a determination as to the propriety of the use of the term "retired":
 1. Prior to retiring from his or her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than 5 years;
 2. The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension;
 3. The candidate has reached at least the age of 55 years;

4. The candidate voluntarily left his or her last professional, vocational or occupational position; and,
5. The candidate's retirement benefits are providing him or her with a principal source of income.

3. If a candidate is requesting a ballot designation that he or she is a retired public official, the candidate must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office. If such a candidate did not voluntarily retire from public office, he or she may not use the word "retired" in his or her ballot designation.
4. A candidate may not use the word "retired" in his or her ballot designation if that candidate possesses another more recent, intervening principal profession, vocation, or occupation.

9. Pursuant to Elections Code Section 13107, subdivision (b)(5), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses the name of any political party, whether or not it has qualified for recognized ballot status.
10. Pursuant to Elections Code Section 13107, subdivision (b)(6), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or words referring to a racial, religious, or ethnic group.
 1. The Secretary of State shall reject as unacceptable any ballot designation which expressly contains or implies any ethnic or racial slurs or ethnically or racially derogatory language.
 2. If the candidate is a member of the clergy, the candidate may not make reference to his or her specific denomination. However, the candidate may use his or her clerical title as a ballot designation (e.g., "Rabbi," "Pastor," "Minister," "Priest," "Bishop," "Deacon," "Monk," "Nun," "Imam," etc.)
11. Pursuant to Elections Code Section 13107, subdivision (b)(7), the Secretary of State shall reject as unacceptable any proposed ballot designation which refers to any activity prohibited by law. Unlawful activity includes any activities, conduct, professions, vocations, or occupations prohibited by state or federal law.

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

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

20717. Requests for Supporting Documentation.

In addition to the Ballot Designation Worksheet required to be filed with the Secretary of State pursuant to Elections Code Section 13107.3 and Section 20711 of this Chapter, the Secretary of State may request that a candidate submit additional supporting documentation or other evidence to support the proposed ballot designation.

1. Time is of the essence regarding all matters pertaining to the review of proposed ballot designations submitted by candidates for public office. Failure to promptly submit requested supporting materials will preclude consideration of such materials in and the rendering of a final decision on the candidate's proposed ballot designation.
2. The Secretary of State will communicate, whenever possible, with the candidate in the most expeditious manner, including, but not limited to, telephone, facsimile transmission and electronic mail at the number or address provided by the candidate. When the candidate does not have reasonable access to a facsimile machine or electronic mail, the Secretary of State will transmit written communication to the candidate by means of overnight express delivery to the address provided by the candidate.
3. The candidate shall have the burden of establishing that the proposed ballot designation that he or she has submitted is accurate and complies with all provisions of Elections Code Section 13107 and this Chapter.

Note: Authority cited: Section 12172.5, Government Code. Reference: Sections 13107 and 13107.3, Elections Code.

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment of section and Note filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

20718. Communication of Decisions Regarding Ballot Designations.

1. If a candidate's proposed ballot designation has been rejected, an official copy of the decision of the Secretary of State will be made in writing and transmitted directly to the candidate by registered or certified mail, return receipt requested, to the address provided by the candidate. The Secretary of State shall also provide a copy to the elections official in the candidate's county of residence and to the elections official of each county within the political subdivision. Copies may also be made available to all other candidates in the race.
2. At the request of the candidate, the Secretary of State will transmit a copy of the decision of the Secretary of State regarding the candidate's proposed ballot designation by facsimile transmission or e-mail to the facsimile number or e-mail address listed on the candidate's Ballot Designation Worksheet.

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

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

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

20719. Service of Legal Process Regarding Ballot Designations.

1. In the event a candidate or other interested party files a petition for the issuance of an extraordinary writ with the court or other legal action pertaining to a candidate's ballot designation, the summons and any other legal process should be served upon the Chief Counsel to the Secretary of State, 1500 11th Street, Sixth Floor, Sacramento, California 95814. The Chief Counsel may designate a Deputy Secretary of State to accept service of process on behalf of the Secretary of State.
2. Telephone notice pertaining to any ex parte applications filed with the court by any candidate or other interested party should be directed to the attention of the Chief Counsel to the Secretary of State at (916) 653-7244. Counsel for all parties to such ex parte matters are admonished that waivers of the Secretary of State's right to timely notice and the right to personally appear at the ex parte hearing will be granted in writing and only in limited instances.
3. The Secretary of State shall provide a copy of any legal actions in subdivision (a) or (b) above to the elections official in the county of the candidate's residence and any other county in the district.
4. The Secretary of State shall be named as a respondent in any legal action pertaining to a ballot designation for a candidate described in Elections Code Section 15375, except for a candidate for judge of the superior court.
- 5.

Note: Authority cited: Section 12172.5, Government Code. Reference: Sections 13107 and 13314, Elections Code.

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment of subsection (a), new subsection (d), and amendment of Note filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

CITY SEAL / LITERATURE / MASS MAILING / CAMPAIGN PRACTICES/ ADVERTISING REQUIREMENTS

CITY SEAL – Restricted Use

It is a misdemeanor crime for a City Seal to be used in any campaign literature in a misleading manner. The law also applies to the State and County Seal. (Gov't Code §§402.5, 25004.5, 34501.5, 68080.5)

MASS MAILINGS

Elections Code Section 16. Literature requirements.

A copy of Section 84305 of the Government Code shall be provided by the Elections Official to each candidate or his or her agent at the time of filing the declaration of candidacy and to the proponents of a local initiative or referendum at the time of filing the petitions.

Government Code Section 82041.5. Mass Mailing – Definition

“Mass mailing” means over two hundred 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.

Government Code Section 84305. Mass Mailing

(a) (1) Except as provided in subdivision (b), a candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not 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 that is in a color or print that 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 candidate's, candidate controlled committee established for an elective office for the controlling candidate's, or political party committee's address is a matter of public record with the Secretary of State.

(2) Except as provided in subdivision (b), a committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass mailing that is not required to include a disclosure pursuant to Section 84504.2 unless the name, street address, and city of the committee is 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 that is in a color or print that 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 committee'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) (1) A candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not send a mass electronic mailing unless the name of the candidate or committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.

(2) A committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass electronic mailing that is not required to include a disclosure pursuant to Section 84502 or 84504.3 unless the name of the committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.

(d) 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) or (c).

(e) For purposes of this section, the following terms have the following meanings:

(1) "Mass electronic mailing" means sending more than 200 substantially similar pieces of electronic mail within a calendar month. "Mass electronic mailing" does not include a communication that was solicited by the recipient, including, but not limited to, acknowledgments for contributions or information that the recipient communicated to the organization.

(2) "Sender" means the candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable pursuant to Sections 84200 to 84216.5, inclusive.

(3) To "pay for" a share of the cost of a mass mailing means to make, to promise to make, or to incur an obligation to make, any payment: (A) to any person for the design, printing, postage, materials, or other costs of the mailing, including salaries, fees, or commissions, or (B) as a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.

(f) This section does not apply to a mass mailing or mass electronic mailing that is paid for by an independent expenditure.

No newsletter or other mass mailing shall be sent at public expense. For further information contact the Fair Political Practices Commission. (Government Code § 89001)

(As defined in Government Code § 82041.5 “Mass Mailing” means over two hundred 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.)

SLATE MAILER ORGANIZATIONS (Government Code §§ 82048.3, 82048.4, 84108)

Slate mailer organizations must register with the Secretary of State and file periodic reports on their slate mailer activities. The law applies to slate mailers that support or oppose four or more candidates or measures. A slate mailer organization is defined as any individual or group who, directly or indirectly, does all of the following:

- Is involved in the production of one or more slate mailers and exercises control over the selection of the candidates and measures to be supported or opposed in the slate mailers; and
- Receives or is promised payments totaling \$500 or more in a calendar year for the production of one or more slate mailers.

NOMINATIONS (E.C. §§ 18200-18205)

No person shall submit a nomination paper knowing that any part of it has been made falsely. No person shall fraudulently deface or destroy, or willfully suppress all or part of any nomination paper, or deliberately fail to file at the proper time and in the proper place any nomination paper in his or her possession that is entitled to be filed. No person shall, directly or indirectly, pay, solicit, or receive anything of value to induce a person not to become or to withdraw as a candidate.

FALSE OR MISLEADING INFORMATION TO VOTERS

No candidate shall, in his occupational designation on the ballot, assume a designation that would mislead the voters. (E.C. § 13107)

Every candidate is guilty of a misdemeanor who pretends or implies that he or she is an incumbent of a public office or that he or she has acted in the capacity of a public officer when this is not the case. (E.C. § 18350). Any candidate who knowingly makes a false statement of material fact in a candidate’s statement, with the intent to mislead the voters, is punishable by a fine not to exceed \$1,000. (E.C. § 18351)

SIMULATED BALLOTS

Every simulated ballot shall bear a printed notice (See Elections Code § 20009 for details) stating that this is not an official ballot but rather an unofficial marked ballot prepared by (name and address of person or organization responsible); and no official seal or insignia may appear on the envelope in which it is contained.

VOTE CENTER INFORMATION

Every person is guilty of a misdemeanor who distributes, or causes to be distributed, literature to voters that includes the designation of a voter's precinct Vote Center other than the precinct Vote Center listed for that voter in the latest official precinct polling list at some time, not more than 30 days before the distribution. (E.C. § 18302)

VOTE-BY-MAIL VOTER BALLOT APPLICATIONS (E.C. § 3007)

The processing of vote-by-mail voter applications is expedited when voters use the official application form that contains such information as affidavit number and ballot style. Since the Registrar of Voters routinely mails this application form to every voter along with the County Voter Information Guide, there is no need for candidates to distribute their vote-by-mail application forms. Candidates who wish to do so must comply with the requirements outlined in the Elections Code. They must follow the uniform application format that is provided by the Secretary of State and available at the Registrar of Voters.

They must also comply with the postal regulations, which may be obtained by contacting the vote-by-mail section of the Registrar of Voters' office at (951) 486-7200.

Any individual, organization, or group that distributes and receives completed vote-by-mail applications shall return them to the Registrar of Voters' office within 72 hours of receiving them. The name, address, and telephone number of the organization, which authorizes the distribution of the applications, shall be included on the application. (E.C. § 3008). Violation of these codes constitutes a misdemeanor. (E.C. § 18402)

PAID POLITICAL ADVERTISEMENTS

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.

Political Advertising Disclosures

1. Communications by Candidate Committees for their own Election

The disclosure must include, unless otherwise noted: "Paid for by *committee name*"

Examples: "Paid for by Jones for Assembly 20XX"
 "Paid for by Friends of Smith for Mayor 20XX"

Communication	Disclosure and Manner of Display
All mass mailings – more than 200 substantially similar pieces of mail sent within a calendar month	<ul style="list-style-type: none">• Candidate's committee name and address (on file with Form 410) on outside of mailing (if no Form 410 on file, use candidate's name and address).• "Paid for by" must be in the same color and font as the committee name and address and immediately in front of or above the name and address.• If sent by more than one candidate or committee:<ul style="list-style-type: none">○ Also on at least one insert in the mailing.• No less than 6-point type and in a contrasting print or color.• Return envelopes (if included in solicitation) – committee's name, address and ID number are recommended but not required.
All mass electronic mail – more than 200 substantially similar emails sent within a calendar month	<ul style="list-style-type: none">• "Paid for by [name of candidate or committee]" must be in at least the same size font as a majority of the text (no address is required on mass electronic mailings).
Newspaper ads	<ul style="list-style-type: none">• Refer to the Elections Code for newspaper ad disclosure requirements.

Candidate Committee Communications for their own Election

Communication	Disclosure and Manner of Display
<p>Telephone calls advocating candidate's own election - 500 or more calls similar in nature and made by:</p> <ul style="list-style-type: none"> • Vendors (“robo” calls); or • Paid individuals other than the candidate, campaign manager or volunteers 	<ul style="list-style-type: none"> • Must identify the candidate's committee that authorized or paid for the call or an organization authorizing the call that files campaign reports. • Must state that the call is “paid for by” or “authorized by” the identified candidate or organization. <ul style="list-style-type: none"> ○ <i>Examples: This call was paid for by Senator Jones; This call was authorized by [name of committee].</i> • Any time during the call. • No ID required on telephone calls personally dialed by candidate, campaign manager or volunteers.
<p>Radio and television* ads *Television ads include those distributed via streaming technology or viewed via connected TV.</p>	<ul style="list-style-type: none"> • Radio: “Ad paid for by” followed by name of committee as it appears on most recent Form 410 at the beginning or end of advertisement read in a clearly spoken manner with pitch and tone substantially similar to the rest of advertisement. • Television: “Ad paid for by” followed by name of committee as it appears on most recent Form 410 shown for at least four seconds. Letters must be in a type size greater than or equal to four percent of the height of the screen. If the television ad is shorter than the required disclosure display time, the disclosure may be displayed for the length of the advertisement.
<p>Electronic media ads (non-social media) (Websites, blogs, graphics, images, animated graphics, or animated images.)</p>	<ul style="list-style-type: none"> • “Paid for by <i>committee name</i>” and committee ID number are recommended but not legally required.

Candidate Committee Communications for their own Election

Communication	Disclosure and Manner of Display
Social media ads	<p>Advertisements in the form of posts, comments or other communications made via social media must include “Ad paid for by,” disclosure in a contrasting color that is easily readable by the average viewer in no less than 10-point font on each individual post that is an advertisement.</p> <ul style="list-style-type: none"> • Disclosures are not required on social media advertisements for which the only expense or cost of the communication is compensated staff time unless the social media account where the content is posted was created only for the purpose of advertisements. • An advertisement for which a committee pays a third party to post from a social media account that is not the committee’s account must include a tag, or otherwise include a link to, the social media profile or social media landing page of the committee that paid for the advertisement.
Billboards, signs (including yard signs), faxes, business cards, door hangers, flyers, and posters	<ul style="list-style-type: none"> • “Paid for by <i>committee name</i>” and committee ID number are recommended but not legally required.
Text messages sent using mass distribution technology	<ul style="list-style-type: none"> • “Paid for by” or “With” followed by the name of the candidate followed by “For” followed by the name of the office sought. • If “With” is used: <ul style="list-style-type: none"> ○ The individual sending the text shall identify themselves by including: “(name of the individual) with (name of the candidate) for (name of elective office).”

Candidate Committee Communications for their own Election

Communication	Disclosure and Manner of Display
	<ul style="list-style-type: none">○ A disclosure using “With” may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.● For text message exchanges consisting of a sequence of multiple text messages sent on the same day the disclosure is only required on the first text message in the sequence that supports or opposes a candidate or measure.● Text required to be included in a text message must be in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.

The information on this chart does not carry the force of law. If there are any discrepancies between the chart and the Act or its corresponding regulations and opinions, the Act and its regulations and opinions will control. Communications made by a candidate to support or oppose a ballot measure or other candidates are not addressed in this chart.

***If a disclosure statement required by local ordinance is substantially similar to a disclosure statement required under the Act, the two disclosure statements may be merged into a single statement.**

References: [Government Code Sections](#): 82041.5, 84305, 84310, 84502, 84504.2, 84504.3, 84504.4, 84504.8
[Title 2 Regulations](#): 18435, 18440, 18450.4, 18450.8, 18450.9

California Fair Political Practices Commission

Political Advertisement Disclosures

Under California's Political Reform Act (the "Act"), committees, generally, must include "Ad paid for by" disclosures on campaign advertising, including campaign mailers, radio and television ads, telephone robocalls, and electronic media ads. Please see the [Advertising Disclosure Charts](#) for specific disclosure requirements. The questions below relate to disclosure requirements for committees that purchase advertisements or circulate communications supporting or opposing a state or local candidate or ballot measure in California. This fact sheet is informational only and contains only highlights of selected provisions of the law. It does not carry the weight of the law. For further information, consult the Act and its corresponding regulations, advice letters and opinions.

Who Must Use a Disclosure?

A candidate's campaign committee, a political action committee, a ballot measure committee, a political party committee, a major donor, and a person or entity making independent expenditures on candidates or ballot measures in California are all types of committees that are subject to disclosure rules. In general, a person or entity qualifies as a *committee* under the Act if they receive contributions from others for political purposes of \$2,000 or more per year; if they make independent expenditures on California candidates or ballot measures of \$1,000 or more per year; or if they make contributions to California candidates or ballot measures of \$10,000 or more per year.

General Questions

1. Q. What is an advertisement?
 - A. An advertisement is a communication that is made for the purpose of supporting or opposing a candidate or ballot measure. Advertisements include mass mailings (including emails), paid telephone calls, newspaper, radio and television ads, billboards, yard signs, and electronic media ads.
2. Q. What is a disclosure?
 - A. A "disclosure" is the portion of a political message that identifies the person or entity who paid for or authorized the communication. "Ad paid for by *committee name*" is generally the basic disclosure required by the Act on most campaign communications sent by a *committee*.
3. Q. Are the Act's disclosure rules the same for all committees and all ads?
 - A. No. Basic disclosure rules apply to campaign materials disseminated by a candidate for their own election campaign because it is generally clear to the public that the candidate is sending the communication. Stricter disclosure rules apply to ballot measure advertisements and independent expenditure advertisements on candidates and ballot measures, because it is less clear to the public who is responsible for these ads.

4. Q. Must a disclosure appear on ALL printed materials or campaign items?
 - A. No. A disclosure is not required on the following items:
 - Campaign buttons smaller than 10 inches in diameter, pins, bumper stickers smaller than 60 square inches, and magnets
 - Pens, pencils, rulers, mugs, potholders, key tags, golf balls and similar small campaign promotional items where a disclosure cannot be conveniently printed
 - T-shirts, caps, hats, and other articles of clothing
 - Skywriting and airplane banners
 - Committee checks and receipts
5. Q. What must the disclosure state?
 - A. Generally, the basic disclosure must state: "Ad Paid for by *committee name*." Please see the [Advertising Disclosure Charts](#) for specific disclosure requirements. In most cases, any recipient committee except a candidate committee or a political party committee must also list top three contributors of \$50,000 or more. An advertisement supporting or opposing a candidate that is paid for by an independent expenditure shall include a statement that it was not authorized by a candidate or a committee controlled by a candidate. If the advertisement was authorized or paid for by a candidate for another office, the expenditure shall instead include a statement that "This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office."
6. Q. How must the disclosure appear?
 - A. Written disclosures must be printed clearly and legibly. Spoken disclosures must be spoken clearly. Disclosures must also be written or spoken in the same language used in the advertisement. **Specific requirements for color contrast, font, print size and time appearing on screen or read during a telephone or radio advertisement are listed in FPPC [advertising disclosure charts](#).**
7. Q. If a committee's top contributor changes, must advertisement disclosures be updated?
 - A. Yes. Television, radio, telephone, electronic billboard, or other electronic media advertisement shall be updated to reflect the new top contributors within five business days. Print media advertisement, including nonelectronic billboards, shall be updated to reflect the new top contributors before placing a new or modified order for additional printing of the advertisement.
8. Q. What are the rules for disclosures on communications in a language other than English?
 - A. Disclosures on political advertisements must be written or spoken in the same language used in the advertisement, except for the name of the committee and the top contributors to the committee, if any.

9. Q. Must a disclosure appear on communications from an organization to its members?

A. For political party communications, yes. For communications from other organizations to their members, a disclosure is not required.

Mass Mailing Questions

10. Q. On mass mailings, what must the disclosure state?

A. A mass mailing – over 200 substantially similar pieces of mail sent within a calendar month – must include: the words “Paid for by” immediately in front of or above the name and address of the committee on the outside of each piece of postal mail. The disclosure must be in no less than 6-point type and in a color that contrasts with the background.

If a mass mailing is paid for by more than one candidate or committee, the words “paid for by” must appear immediately in front of or above the name and address of the candidate or committee who is paying the greatest share of the mass mailing (including costs for designing, postage, and printing) and must be placed on the outside of each piece of mail. If two or more candidates or committees pay equally for the mailer, the name and address of at least one of the candidates or committees must be shown on the outside, and the names and addresses of all candidates or committees paying for the mailer must appear on at least one insert.

11. Q. On emails, what must the disclosure state?

A. When over 200 substantially similar emails are sent by a candidate or committee, the email must include “Paid for by and the committee name.” The committee’s street address is not required on mass emails sent by a committee, but may be included.

Advertising Issues Not Under FPPC’s Jurisdiction

12. Q. What are the rules about when and where political signs may be placed?

A. The Act does not contain rules about when and where signs may be placed. You may visit the [California Department of Transportation website](#) for information about the State Outdoor Advertising Act and additional restrictions on political sign placement. You should also check with your local jurisdiction as there may be local laws that restrict or prohibit the placement of campaign signs at certain times and in specified places.

13. Q. Where can I get information about the National Do Not Call Registry?

A. For information about the National Do Not Call Registry, administered by the Federal Trade Commission (FTC), go to www.donotcall.gov.

§ 17.254.020. Definitions.

For purposes of this chapter, the following words or phrases shall be defined as follows:

"Election period" means the period of time 90 days prior to and 10 days after any local, state, regional or national official election.

"Height" means the highest point of the structure or sign measured from the average natural ground level at the base of the supporting structure.

"Lot." The definition of "lot" set forth in Section 17.04.070 shall be incorporated by this reference.

"Noncommercial sign" means any sign that does not do any of the following:

1. Advertise a product or service for profit for a business purpose;
2. Propose a commercial transaction; or
3. Relate solely to economic interests.

"Permanent foundation" means concrete or other semipermanent material used to affix a sign to the ground.

"Real estate sign" means a temporary sign advertising that a property or structure is for sale, lease, rent or exchange. The advertising contained on a real estate sign shall be limited to the following information:

1. That the property is for sale, lease, rent or exchange by the owner or his/her agent;
2. The property is in escrow or there is an "open house";
3. Directions to the property;
4. The owner's or agent's name, address and telephone number.

"Sign" means any structure, housing, device, figure, statuary, painting, display, message, placard or other contrivance, which is designed, constructed, created, engineered, intended or used to provide data or information for advertising purposes.

"Surface area" means that area of a sign as measured by the smallest geometric form such as a square, rectangle, triangle, or circle, or combination thereof, which will encompass the face of the sign on which the message is displayed.

"Temporary sign" means a sign that is not intended to be permanent. Temporary signs shall not be constructed or erected upon a permanent foundation or attached to a sign structure having a permanent foundation. Temporary signs shall include noncommercial signs (including noncommercial signs during an election period), real estate signs, yard or garage sale signs or event signs. All other commercial signs, not constructed or erected upon a permanent foundation, are prohibited by this chapter. If the sign is constructed or erected on a permanent foundation, it is regulated by Chapter 17.252.

(Ord. 18 § 2, 2008, RCC § 17.254.020)

§ 17.254.030. Temporary signs.

Temporary signs are permitted in all zoning classifications subject to the limitations imposed by this chapter. No person shall erect, use or maintain a temporary sign in the City, except in accordance with the following provisions.

A. Standards for all Temporary Signs.

1. No temporary sign shall be artificially lighted.
2. No temporary sign shall be erected, placed, used or maintained within the public road right-of-way, or on a fence/wall (except as allowed in subsection D of this section during an election period, and subsection E of this section).
3. No temporary sign shall be erected, placed, used or maintained upon property without the consent of the owner, lessee, person or entity in lawful possession of the property.
4. No temporary sign shall be erected, placed, used or maintained so that it does any of the following:
 - a. Mars, defaces, disfigures or damages any public building, structure or other property;
 - b. Endangers the safety of persons or property;
 - c. Obscures the view of any fire hydrant, traffic sign, traffic signal, street sign, or public informational sign;
 - d. Blocks motorists' line of vision to areas of vehicular or pedestrian traffic.

B. Standards for Real Estate Signs.

1. For lots zoned single-family residential, one sign not exceeding six square feet in surface area (per sign face) and not more than six feet in height.
2. For lots zoned multifamily residential, commercial, industrial and agricultural, one sign on each separate frontage of the lot on the street, each sign not to exceed 32 square feet in surface area (per sign face) and not more than six feet in height. No more than four signs are allowed per development.
3. Riders, not to exceed two square feet in aggregate surface area (per sign face) may be added to the real estate sign to identify the specific agent offering the property for sale, to show that the property is "in escrow" or for an "open house."
4. The sign(s) shall be removed within 10 days of the close of escrow on the property or structure, or portion thereof, being sold, leased or rented.
5. A real estate sign (of any size) located in City limits which is advertising a residential subdivision project outside of the city limits is considered off-site signage and is prohibited in accordance with Section 17.252.030.A of this

Code. The sign shall be removed within 14 days of notification by the City.

C. Standards for Yard or Garage Sale Signs and Event Signs. Temporary signs that advertise items for sale or events located on the property on which the sale or event will be conducted are permitted in every zoning classification, subject to the following standards:

1. The yard or garage sale or event is in conformance with City ordinances.
2. No sign shall exceed four square feet in surface area.
3. No sign shall exceed four square feet in height.
4. No sign shall be posted more than 15 days before the event or sale, and shall be removed within five days after the event or sale.
5. Only one sign per lot may be displayed at any time and no more than three such signs may be posted on any lot per calendar year.

D. Standards for Noncommercial Signs During Election Period. In addition to the temporary signs permitted in Section 17.254.030 and the signs allowed by Chapters 17.252 and 15.90, temporary noncommercial signs shall be permitted in all zoning classifications during an election period, subject to the following limitations:

1. No sign shall exceed 32 square feet in surface area;
2. No sign shall exceed six feet in height;
3. No lot shall contain such signs having an aggregate surface area in excess of 80 square feet;
4. Such signs shall be permitted along road right-of-way provided no sign shall be erected, placed, used or maintained on any publicly owned tree or shrub or upon the improved portion of any street or highway right-of-way used for traffic or parking or upon any street divider or median strip;
5. All signs shall be removed within 10 days after the election has occurred.

E. Standards for Temporary Commercial Banners. Temporary banners for individual businesses located in commercial, office and industrial zone districts shall be allowed with approval of the Planning Director and subject to the following standards:

1. A banner may be made of paper, canvas, plastic, cloth or similar material, and must be attached to the building or lease space where the business is located.
2. One banner per business shall be allowed at a time. If a business is located with frontage on two or more streets, one additional banner per street frontage shall be allowed.
3. The maximum sign area for a banner shall not exceed 36 square feet with a maximum vertical height dimension of three feet and shall not extend above

the eave line or parapet wall of the building.

4. A banner is allowed to be displayed for a maximum duration of 30 consecutive days on a quarterly basis (beginning on January 1st of each year) provided there is 60-day down period between display times. In no case shall a banner be displayed more than four times per year for the same business.
5. The banner shall be removed within 24 hours after the end of the 30-day display period.
6. If a commercial center, office or industrial complex has its own approved sign program (as previously approved by the City of Wildomar), the standards outlined in this section shall not apply.
7. Inflatable devices (i.e., balloons, animals, and the like) and feather signs used as a temporary business identification banner are prohibited.

(Ord. 18 § 2, 2008, RCC § 17.254.030; Ord. 178 §§ 10—12, 2020)

CAMPAIGN DISCLOSURE FORMS

State law requires candidates (and their committees, if any) to file one or more Campaign Statements disclosing their campaign receipts and expenditures in connection with an election.

All candidates must file Campaign Disclosure Statements. This includes candidates who spend no money, or only their own money, on their campaigns. It also includes candidates who unofficially “withdraw” from the race by abandoning active campaigning after the official deadline for withdrawal of candidacy has passed. Candidates are required to file an accounting of the financial activities of their campaigns with the City Clerk’s Office by designated due dates.

Raising or Spending Less than \$2,000:

FPPC Forms 501, 470

Raising or Spending More than \$2,000:

FPPC Forms 501, 410, [460*](#) and possibly [497*](#) (\$1,000 or more from a single source in the last 90 days)

***Electronic Filing Required. Contact the City Clerk to get setup.**

Form 501 – Candidate Intention – must be filed with the City Clerk’s Office before soliciting or receiving any contributions from others or before making expenditures from personal funds for the election (excluding personal funds used to pay for a candidate’s statement).

Form 470 - Officeholder and Candidate Campaign Statement - If less than \$2,000 will be raised and spent on the campaign, by the candidate or by others on his/her behalf, and total campaign transactions for the entire calendar year are under \$2,000, the filing obligations in connection with the election are simple; the only campaign statement that must be filed is Form 470 (in duplicate). It should be filed along with the other nomination documents; however, it will be accepted without penalty if filed by the first campaign disclosure filing deadline.

Form 410 – Statement of Organization, Recipient Committee – Candidates receiving contributions from others, or who spend more than \$2,000 of personal funds to run for office, must open a campaign bank account at a financial institution in California and mail a Statement of Organization (Form 410) to the Secretary of State within 10 days of opening the account. **Exceptions:** The Statement of Organization (Form 410) is not required if the candidate will not be receiving contributions from others and will spend less than \$2,000 in a calendar year from personal funds to support his or her candidacy. (Payment of candidate’s statement is not counted toward the \$2,000 expenditure threshold.)

Where to File the Statement of Organization (Form 410):

Original* and one copy -	Secretary of State Political Reform Division 1500 11th Street, Room 495 Sacramento, CA 95814
One Copy -	City Clerk 23873 Clinton Keith Road Ste. 110 Wildomar, CA 92595

***For paper filings filed with Secretary of State:** All paper filings may be filed by first-class mail or by email with a verified digital signature unless otherwise noted. Effective January 1, 2023, persons required to file a report or statement by paper with the Secretary of State's Office may instead file by email (digitalfiling@sos.ca.gov) with a verified digital signature or other digital means as prescribed by the Secretary of State's Office. Please visit the [Secretary of State's website](#) for more information on how to file with a digital signature, or our [Filing with a Digital Signature fact sheet](#).

Form 460 – Campaign Statement, Recipient Committee – required if \$2,000 or more will be raised or spent during the calendar year at the behest of the officeholder or candidate A candidate or officeholder who has a controlled committee, or who has raised or spent or will raise or spend \$2,000 or more during a calendar year in connection with the election to office or holding office.

STATEMENT OF TERMINATION

When the candidate and committee, if any, have ended all campaign activity, Form 410 Statement of Organization/Termination may be filed. There is no deadline for terminating a committee. The Statement of Organization/Termination should be filed after the election, if and when appropriate.

FUTURE CAMPAIGN DISCLOSURE FILING OBLIGATIONS

Form 410 Statement of Organization/Termination must be filed to terminate the filing obligations of a **candidate or committee**. Until it is filed, the candidate or committee will remain indefinitely in an open status, even after the election is over, **and will be required to file semiannual campaign statements whether or not there was any activity during the applicable six-month period**. It is the responsibility of the candidate or committee to obtain campaign disclosure filing information and comply with filing requirements **(the \$10 per day late filing penalty applies if filing deadlines are not met)**.

If elected to office, the candidate will continue to have campaign filing obligations **as an officeholder** whether or not a Statement of Organization/Termination was filed. An officeholder who receives \$200 or more per month from the elective office must

file semiannual statements; an officeholder receiving less than \$200 is required to file if he/she has any political contributions or expenditures to report.

Money used from the candidate's personal funds is considered a monetary contribution (or loan) to the campaign and must be reported just as if it were a monetary contribution (or loan) from another person.

Contributions from other persons may not be comingled with the candidate's personal funds. As soon as such contributions are received, they must be deposited in a campaign account (the law prohibits personal use of campaign funds).

Anonymous or cash contributions of \$100 or more, and cash expenditures of \$100 or more, are prohibited.

Careful and complete records should be kept of all campaign transactions. Detailed reporting is not required until the campaign reaches the \$2,000 mark; however, candidates should keep in mind that campaign records are subject to audit (by the Fair Political Practices Commission) on a random basis.

There is a special reporting requirement (covered in the FPPC Information Manual) in the event of State and local committees making or receiving contribution(s) that total in the aggregate \$1,000 or more in the 90 days before an election or on the date of the election.

If the candidate has a campaign committee, the candidate and committee may file campaign statements jointly, using Form 460. It is important for the treasurer to be aware of his/her responsibilities and to be prepared to devote sufficient time and effort to the job. He/she should be aware that the treasurer is legally responsible for the accuracy and completeness of a committee's campaign statement.

Attachments provided in e-mail:

1. Manual 2
2. Form 501
3. Form 410
4. Form 460
5. Form 470
6. Form 497

The Fair Political Practices Commission (FPPC) provides free, expert advice at their toll free number:

(866) ASK FPPC (275-3772)

or you may go to their website at: <http://www.fppc.ca.gov>

E-mail: advice@fppc.ca.gov (answered all day long – try this first)

FPPC rules:

Candidates must call themselves (no advice provided to 3rd parties, including the City Clerk)

All forms and manuals are also available on their website.

Fair Political Practices Commission

Filing Schedule for State Candidates and their Controlled Committees Listed on the November 5, 2024 Ballot

Deadline	Period	Form	Notes
July 31, 2024 <i>Semi-Annual</i>	* – 6/30/24	460 or 470	<ul style="list-style-type: none"> Each candidate listed on the ballot must file Form 460 or Form 470 (see below).
Within 10 Business Days <i>\$5,000 Report</i>	Ongoing – <i>File anytime other than the 90-day election cycle</i>	497	<p>Only E-filers file this report:</p> <ul style="list-style-type: none"> File if a contribution of \$5,000 or more is received from a single source. No paper copy is required. File within 10 business days of receipt of contribution.
Within 24 Hours <i>Election Cycle Reports</i>	8/7/24 – 11/5/24	497	<ul style="list-style-type: none"> File if a contribution of \$1,000 or more in the aggregate is received from a single source. File if a contribution of \$1,000 or more in the aggregate is made to or in connection with a candidate or ballot measure listed on the November 5, 2024, ballot, or made to a political party committee. The recipient of a non-monetary contribution of \$1,000 or more in the aggregate must file a Form 497 within 48 hours from the time the non-monetary contribution is received. E-file only. No paper copy is required.
Sep 26, 2024 <i>1st Pre-Election</i>	7/1/24 – 9/21/24	460 or 470	<ul style="list-style-type: none"> Each candidate listed on the ballot must file Form 460 or Form 470 (see below).
Oct 24, 2024 <i>2nd Pre-Election</i>	9/22/24 – 10/19/24	460	<ul style="list-style-type: none"> All committees must file this statement. Paper copies must be filed by personal delivery, guaranteed overnight service, or by email with a verified digital signature.
Jan 31, 2025 <i>Semi-Annual</i>	10/20/24 – 12/31/24	460	<ul style="list-style-type: none"> All committees must file Form 460 unless the committee files termination Forms 410 and 460 before December 31, 2024.

See next pages for additional reporting information.

Fair Political Practices Commission

Additional Reports

Depending on committee activity, one or more of the following statements may also be required:

- **Payments Related to a State Ballot Measure (E-filers Only):** File Form 496 (24-Hour/10-Day Independent Expenditure Report) or Form 497 (24-Hour/10-Day Contribution Report) within 10 business days of making payments totaling \$5,000 or more in connection with a single state ballot measure.
- **Form 511:** File within 10 days of making either of the following expenditures related to an advertisement to support or oppose a ballot measure: 1) a payment totaling \$5,000 or more to an individual to appear in an advertisement, or 2) a payment of any amount to an individual portraying a member of a licensed occupation (e.g., nurse, doctor, firefighter). **E-filers must also file a paper copy.****
- **Form E-530:** File within 48 hours of making a payment, or a promise of a payment, of \$50,000 or more during the 45 days prior to an election for a communication that identifies a state candidate listed on the ballot but does not expressly advocate the election or defeat of the candidate. No paper copy is required.

Additional Notes:

- ***Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- ****Paper Filings:** All paper filings *may* be filed by first-class mail or by email with a verified digital signature unless otherwise noted. Persons required to file a report or statement by paper with the Secretary of State's Office *may* instead file by email (digitalfiling@sos.ca.gov) with a verified digital signature or other digital means as prescribed by the Secretary of State's Office. Please visit the Secretary of State's [website](#) for more information on how to file with a digital signature. Refer to the [filing with a digital signature fact sheet](#) for assistance in creating your digital ID.
- **Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to a 24-Hour/10-Day Contribution Report (Form 497) that is due the weekend before the election, and this extension never applies to any 24-Hour/10-Day Independent Expenditure Report (Form 496). Such reports must be filed within 24 hours, regardless of the day of the week.
- **Where to File:** State committees that are e-filers, file reports with the Secretary of State. Candidate controlled committees that are not e-filers file paper copies with the elections' official at the candidate's county of domicile.
- **Form 501:** All state candidates must file Form 501 before soliciting or receiving any contributions or before making expenditures from personal funds. A candidate may, until the deadline for filing nomination papers set forth in Section 8020 of the Elections Code, amend Form 501 to change his/her statement of acceptance or rejection of voluntary expenditure limits provides he or she has not exceeded the limits.
- **E-filer:** A state committees that has received contributions or made expenditures totaling \$25,000 or more.
- **Form 460:** All state committees, including e-filers, must also file paper statements.**
- **Form 470:** Candidates who do not raise or spend \$2,000 or more (or anticipate raising or spending \$2,000 or more) in 2024 and do not have an open committee may file Form 470 on or before September 26, 2024. If the candidate raises or spends \$2,000 or more later during the calendar year, a campaign committee must be opened, and a Form 470 Supplement and a Form 410 must be filed.
- **Forms 496 and 497:** All reports filed online only.

Fair Political Practices Commission

- **Independent Expenditures:** Committees making independent expenditures totaling \$1,000 or more to support or oppose other candidates or ballot measures also file:
 - **Form 496:** This form is due within 24 hours if made in the 90-day, 24-hour reporting period of the candidate's or measure's election. Refer to the applicable filing schedule. Form 496 is filed with the filing officer in the jurisdiction of the affected candidate or measure.
 - **Form 462:** This verification form must be e-mailed to the FPPC within 10 days.
- **Multiple Committees:** All committees controlled by a state candidate listed on the June ballot must file statements on the pre-election filing deadlines, in addition to the committee formed for this election. For example, a candidate for Senate listed on the November 5, 2024, ballot who maintains an Assembly officeholder committee must file pre-election statements for both committees even if the Assembly committee has not received or made payments.
- **State Contribution Limits:** Refer to the [contribution limits chart](#) on the FPPC website.
- **Penalties:** Late statements and reports are subject to a fine of \$10 per day on both the paper and the e-filed version (i.e., \$20 per day for a late Form 460). Failure to file a statement or report could result in an enforcement penalty of \$5,000 per violation.
- **After the Election:** Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See [Campaign Disclosure Manual 1](#) for additional information.
- **Public Documents:** All statements and reports are public documents.
- **Resources:** Campaign manuals and other instructional materials are available on the [Campaign Rules](#) page. Or, visit www.fppc.ca.gov > Learn > Campaign Rules.

CONTRIBUTION INFORMATION

SOLICITATION OF POLITICAL CONTRIBUTIONS; OFFENSE; PUNISHMENT (G.C. § 3205)

- (a) An officer or employee of a local agency shall not, directly or indirectly, solicit a political contribution from an officer or employee of that agency, or from a person on an employment list of that agency, with the knowledge that the person from whom the contribution is solicited is an officer or employee of that agency.
- (b) A candidate for elective office of a local agency shall not, directly or indirectly, solicit a political contribution from an officer or employee of that agency, or from a person on an employment list of that agency, with the knowledge that the person from whom the contribution is solicited is an officer or employee of that agency.
- (c) This section shall not prohibit an officer or employee of a local agency, or a candidate for elective office in a local agency, from requesting political contributions from officers or employees of that agency if the solicitation is part of a solicitation made to a significant segment of the public which may include officers or employees of that local agency.
- (d) Violation of this section is punishable as a misdemeanor. The district attorney shall have all authority to prosecute under this section.
- (e) For purposes of this section, the term "contribution" shall have the same meaning as defined in G.C. § 82015.

LOCAL AGENCY EXPENSES (G.C. § 54964)

An officer, employee, or consultant of a local agency may not expend or authorize the expenditure of any of the funds of the local agency to support or oppose the approval or rejection of a ballot measure, or the election or defeat of a candidate, by the voters.

This section does not prohibit the expenditure of local agency funds to provide information to the public about the possible effects of a ballot measure on the activities, operations, or policies of the local agency.

The information provided shall constitute an accurate, fair, and impartial presentation of relevant facts to aid the voters in reaching an informed judgment regarding the ballot measure.

This section does not apply to the political activities of school officers and employees of a county superintendent of schools, an elementary, high, or unified school district, or a community college district.

ORDINANCE NO. 200

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADDING CHAPTER 2.50 (ELECTRONIC FILING) TO TITLE 2 (ADMINISTRATION AND PERSONNEL) TO THE WILDOMAR MUNICIPAL CODE RELATING TO ELECTRONIC FILING OF CAMPAIGN STATEMENTS AND STATEMENTS OF ECONOMIC INTERESTS

WHEREAS, Government Code Section 84615 currently provides that a local agency may adopt an ordinance to require an elected officer, candidate, committee, or other person required to file statements, reports, or other documents required by Chapter 4 of the Political Reform Act (commencing with Section 84100 of the Government Code), except an elected officer, candidate, committee, or other person who receives contributions totaling less than \$2,000 and who makes independent expenditures totaling less than \$2,000 in a calendar year, to file those statements, reports, or other documents online or electronically with the local filing officer; and

WHEREAS, the City entered into an agreement with NetFile, Inc., a vendor approved by the California Secretary of State, to provide an online electronic filing system ("System") for campaign disclosure statements and statements of economic interest forms; and

WHEREAS, the System will operate securely and effectively and will not unduly burden filers. Specifically: (1) the System will ensure the integrity of the data and includes safeguards against efforts to tamper with, manipulate, alter, or subvert the data; (2) the System will only accept a filing in the standardized record format developed by the Secretary of State and compatible with the Secretary of State's system for receiving an online or electronic filing; and (3) the System will be available free of charge to filers and to the public for viewing filings; and

WHEREAS, the City of Wildomar desires to amend the Wildomar Municipal Code to add a new Chapter relating to electronic filing of campaign and conflict of interest statements.

NOW, THEREFORE, the City Council of the City of Wildomar ordains as follows:

SECTION 1. ADDITION OF CHAPTER 2.50

Chapter 2.50 of the Wildomar Municipal Code is hereby adopted to read as follows:

"Chapter 2.50 - Electronic Filing"

Section 2.50.010 Electronic filing of campaign statements and statements of economic interests.

A. Any elected officer, candidate, committee, or other person required to file statements, reports, or other documents required by Government Code Chapter 4 (commencing with Section 84100), except an elected officer, candidate, committee, or other person who receives contributions totaling less than two thousand dollars (\$2,000), and makes expenditures totaling less than two thousand dollars (\$2,000) in a calendar

year, shall file those statements, reports, or other documents online or electronically with the City Clerk.

B. Any person holding a position listed in Government Code Section 87200 or designated in the city's local conflict of interest code adopted pursuant to Government Code section 87300, shall file any required Statement of Economic Interest reports (Form 700) online or electronically with the City Clerk.

C. In any instance in which an original statement, report or other document must be filed with the California Secretary of State and a copy of that statement, report or other document is required to be filed with the City Clerk, the filer may, but is not required to, file the copy electronically.

D. If the City Clerk's electronic system is not capable of accepting a particular type of statement, report or other document, an elected officer, candidate, committee or other person shall file that document with the City Clerk in an alternative format.

E. In requiring online or electronic filing of statements, reports, or other documents in accordance with this Chapter, the city shall comply with the provisions of Government Code Section 84615, as it may be amended from time to time.

SECTION 2. CEQA.

The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378(b)(5), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is a governmental, organizational or administrative activity that will not result in direct or indirect changes in the environment.

SECTION 3. SEVERABILITY.

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days from its passage by the City Council.

SECTION 5. PUBLICATION.

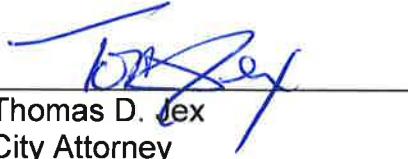
The City Clerk is authorized and directed to cause this Ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the City in accordance with Government Code Section 36933(a) or, to

cause this Ordinance to be published in the manner required by law using the alternative summary and posting procedure authorized under Government Code Section 36933(c).

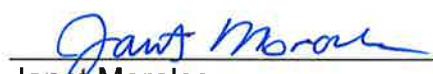
PASSED, APPROVED AND ADOPTED this 11th day of August, 2021.


Dustin Nigg
Mayor

APPROVED AS TO FORM:


Thomas D. Jex
City Attorney

ATTEST:


Janet Morales
City Clerk



STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF WILDOMAR)

I, Janet Morales, City Clerk of the City of Wildomar, California, do hereby certify that the foregoing Ordinance No. 200 was introduced at a regular meeting of the City Council of the City of Wildomar, California, on July 14, 2021, and was duly adopted at a regular meeting held on August 11, 2021, by the City Council of the City of Wildomar, California, by the following vote:

AYES: Moore, Morabito, Swanson, Mayor Pro Tem Benoit, Mayor Nigg

NOES: None

ABSTAIN: None

ABSENT: None

Janet Morales
Janet Morales
City Clerk
City of Wildomar



Exhibit "A"

CHAPTER 2.44 - CAMPAIGN CONTRIBUTION LIMITS FOR ELECTIVE CITY OFFICES

2.44.010 - Authority.

This chapter is adopted pursuant to the provisions of Government Code Sections 85301, 85305, 85306, 85307, 85315, 85316, 85317, 85318, and 85702.5, as amended.

2.44.020 - Definitions.

As used in this chapter, the following terms shall have the following meanings:

"Candidate." As defined in the Political Reform Act provided that that the term shall be limited to candidates for city elective office for the purpose of this chapter.

"Committee." As defined in Government Code section 82013 of the Political Reform Act, as amended. A committee includes but is not limited to "controlled committee" and "independent committee".

"Contribution." As defined in Government Code section 82015 of the Political Reform Act, as amended.

"Controlled committee." Any committee 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. A candidate controls a committee if he or she, his or her agent, or any other committee such candidate controls has a significant influence on the actions or decisions of the committee.

"City elective office." The office of city council.

"Election." Unless otherwise specified in this chapter, any primary, general, special or recall election held in this state. The primary, general, special or recall elections are all separate elections for the purpose of this chapter.

"Independent committee." All committees other than controlled committees.

"Independent expenditure." An expenditure made by any person including a payment of public moneys by a state or local governmental agency, in connection with a communication which expressly advocates the election or defeat of a clearly identified candidate or the qualification, passage or defeat of a clearly identified measure, or taken as a whole and in context, unambiguously urges a particular result in an election but which is not made to or at the behest of the affected candidate or committee.

"Person." An individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, committee, and any other organization or group of persons acting in concert.

"Political Reform Act." The California Political Reform Act of 1974 (Government Code Sections 81000 et seq., as amended).

2.44.030 - Campaign contribution limits.

- A. No person shall make to a candidate for city elective office, or to a controlled committee of that candidate, a campaign contribution totaling more than twenty thousand dollars (\$20,000.00) per election.
- B. No candidate for city elective office, nor a controlled committee of that candidate, shall accept from a person a campaign contribution totaling more than twenty thousand dollars (\$20,000.00) per election.
- C. A candidate for city elective office may transfer campaign funds totaling no more than twenty thousand dollars (\$20,000.00) per election from one controlled committee or campaign fund account to another controlled committee or campaign fund account for elective state, county or city office of the same candidate.
- D. The limitations of this section do not apply to a candidate's contributions of the candidate's personal funds to the candidate's own campaign.
- E. The limitations of this section do not apply to independent expenditures.
- F. In the event that a candidate for city elective office contributes more than twenty thousand dollars (\$20,000.00) of the candidate's personal funds to the candidate's own campaign, is the beneficiary of an independent expenditure of more than twenty thousand dollars (\$20,000.00), or transfers campaign funds totaling more than twenty thousand dollars (\$20,000.00) from one controlled committee or campaign fund account to another controlled committee or campaign fund account for city elective office, all other candidates running in the election for that same city elective office are exempted from the campaign contribution limits of this section 2.44.030 for that election as well.
- G. Beginning in January 2023, the campaign contribution limits in subsections A., B., C., and F. of this section shall be increased by three percent on January 1 of every odd-numbered year. The City Clerk shall maintain a record of any increased contribution limits pursuant to this subsection and shall make such record available to the public and all candidates for city elective office.

2.44.040 - Contribution limits to other candidates.

A candidate for city elective office or a controlled committee of that candidate shall not make a campaign contribution to any other candidate for city elective office in excess of the limits set forth in section 2.44.030 of this chapter.

2.44.050 - Loans.

A candidate for city elective office shall not personally loan to the candidate's campaign, including the proceeds of a loan obtained by the candidate from a commercial lending institution, an amount, the outstanding balance of which exceeds one hundred thousand dollars (\$100,000.00). A candidate for city elective office shall not charge interest on any loan the candidate made to the candidate's campaign.

2.44.060 - Recall campaigns.

An elected officer of a city elective office may establish a committee to oppose the qualification of a recall measure, and the recall election. This committee may be established when the elected officer receives a notice of intent to recall pursuant to Elections Code Section 11021. An elected officer of a city elective office may accept campaign contributions to oppose the qualification of a recall measure, and if qualification is successful, the recall election, without regard to the campaign contribution limits set forth in this chapter. After the failure of a recall petition or after the recall election, the committee formed by the elected officer of a city elective office shall wind down its activities and dissolve. Any remaining funds shall be treated as surplus funds and shall be expended within thirty (30) days after the failure of the recall petition or after the recall election for a purpose specified in Government Code Section 89519, Subdivision (b).

2.44.070 - Contributions after election.

A contribution for an election may be accepted by a candidate for city elective office after the date of the election only to the extent that the contribution does not exceed net debts outstanding from the election, and the contribution does not otherwise exceed the applicable contribution limits for that election as set forth in section 2.44.030 of this chapter.

2.44.080 - Carry over contributions.

Notwithstanding section 2.44.030, subsection C. of this chapter, a candidate for city elective office may carry over contributions raised in connection with one election for city elective office to pay campaign expenditures incurred in connection with a subsequent election for the same city elective office.

2.44.090 - Violations and penalties.

Violations of this chapter are subject to administrative citations in accordance with Chapter 1.16 of this code.

2.44.100 - Electronic campaign finance disclosure.

Nothing in this chapter alters the requirements for electronic filing of campaign statements and the required online reporting of contributions and independent expenditures, which shall continue to be complied with by all candidates for city elective office.



Officers and Section 84308

October 2023

CONTENTS

Introduction	3
A. Am I an “Officer”?	4
1. Qualifications	4
2. Exceptions	4
B. What Are My Responsibilities and Limitations?	5
1. Prohibition: Accepting, Soliciting, or Directing Contributions Exceeding \$250 During 12-Month Period While the Proceeding is Pending and 12 Months After.....	5
2. Prohibition: Taking Part in Entitlement for Use Proceeding.....	6
3. Disclosure Requirements: Contributions Received in Prior 12 months	6
C. Am I Taking Part in a “Pending License, Permit, or Other Entitlement for Use” Proceeding?	7
1. License, Permit, or Other Entitlements for Use Proceedings	7
2. When is the Proceeding “Pending”?	8
D. For the Proceeding, Who Are the “Parties, Participants, or Their Agents”?.....	9
1. Parties.....	9
2. Participants	9
3. Agents.....	10
E. Do I “Know or Have Reason to Know” a Participant Has a “Financial Interest in the Proceeding”?	12
1. What is a Financial Interest in a Proceeding?.....	12
2. When Do I Know About it?.....	12
3. Standards and Facts Relevant to Particular Types of Participant’s Financial Interests.....	13
a. Explicitly Involved Interest in the Proceeding	13
b. Business Entity Interest in the Proceeding	14
c. Real Property Interests in the Proceeding	15
d. Source of Income Interests.....	16
e. Source of Gift Interests.....	17
f. Personal Finances.....	17
F. Have I “Willfully or Knowingly” Received a \$250 or Greater Contribution From a Party, Participant, or Agent Within the Past 12 Months?	18
1. Knowledge of a Contribution.....	18

2. How is the \$250 Calculated?	19
G. Can I Return a Contribution?	22
H. Frequently Asked Questions	23

INTRODUCTION

Section 84308 is a California law aimed at preventing “pay-to-play” practices, in part, by prohibiting parties, participants, and their respective agents in a proceeding involving a license, permit, or other entitlement for use (collectively referenced as an “entitlement for use proceeding” or “proceeding”) from contributing more than \$250 to an officer of the agency the proceeding is before during a 12-month period. An officer is similarly prohibited from accepting, soliciting or directing such a contribution. The prohibition on contributions applies to any 12-month period while the proceeding is pending and for 12 months following the date a final decision is rendered in the proceeding.

Under Section 84308, the officer of an agency is required to disclose any contribution exceeding an aggregate \$250 that a party or any participant has made to them within the 12 months preceding the proceeding. Further, the officer of an agency may not make, participate in making, or in any way attempt to use their official position to influence the decision in the proceeding pending before the agency if the officer has received a contribution of more than \$250 within the preceding 12 months from a party, or a party’s agent. An officer of an agency is similarly prohibited from taking part in a proceeding if the officer received a contribution of more than \$250 within the preceding 12 months from a participant, or participant’s agency, if the officer knows or has reason to know that the participant has a financial interest in the decision.

When it was first enacted in 1982, Section 84308 applied to appointed members of boards and commissions who were running for elective office. (Stats. 1982, ch. 1049 § 1 (“Levine Act”).) However, effective January 1, 2023, the Legislature expanded the scope of its prohibitions to apply to agencies whose members are directly elected by voters and extend the prohibitions from 3 months to 12 months after the final decision in a proceeding. (Stats. 2022, ch. 848 § 1 (“SB 1439”) .)

The following is a step-by-step guide to help you determine:

- Whether you are an “officer” subject to Section 84308’s prohibitions;
- What your responsibilities are;
- What type of proceedings are covered;
- Who meets the definition of a party, participant or their agent;
- When there is a financial interest involved; and
- What to do in the event you have accepted a contribution subject to the prohibitions in Section 84308.

Frequently Asked Questions are also addressed.

A. AM I AN “OFFICER”?

1. Qualifications

Section 84308 defines “officer” as “any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elected office in an agency.”

To determine whether you qualify as an “officer” for purposes of Section 84308, and an “officer of the agency” subject to the restrictions of Section 84308, ask yourself:

(1) Do I have the ability to:

- a. “Make, participate in making, or in any way attempt to use my official position to influence” a decision (defined further below) in the relevant entitlement for use proceeding; or
- b. Exercise authority or budgetary control over the agency of officers who may do so?

(2) Do I serve in any of the following capacities:

- a. In an elected position;
- b. As a member of a board or commission;
- c. As the chief executive of a state agency or county, city or district of any kind; or
- d. In a position with decision-making authority with respect to the proceeding and I am also a candidate for elected office or I was a candidate for elected office in the 12 months prior to the proceeding?

If your answer to both of the above questions is “yes,” then you qualify as an “officer” for purposes of Section 84308 and you are an “officer of the agency” subject to the applicable restrictions.

Note: A candidate for elective office who does not meet any of the above criteria is not an “officer of the agency” and the Section 84308 restrictions applicable to an “officer of the agency” will not apply until such time as the candidate serves in one of the positions noted above. (See, e.g., Butler Advice Letter, No. A-23-103.)

2. Exceptions

The term “officer” does not apply to any person acting in any of the following positions:

- Member of the courts or any agency in the judicial branch;
- Member of the Legislature;
- Member of the Board of Equalization; or

- A Constitutional officer (i.e., the Governor, Lieutenant Governor, Attorney General, Controller, Insurance Commissioner, Secretary of State, State Treasurer, and Superintendent of Public Instruction).

B. WHAT ARE MY RESPONSIBILITIES AND LIMITATIONS?

If you meet the definition of an “officer” under Section 84308 and are an “officer of the agency,” or become an “officer of the agency” following your candidacy, you are subject to the following prohibitions related to entitlement for use proceedings:

1. Prohibition: Accepting, Soliciting, or Directing Contributions Exceeding \$250 During 12-Month Period While the Proceeding is Pending and 12 Months After

For any entitlement for use proceeding, you are prohibited from accepting, soliciting, or directing a contribution of more than two hundred fifty dollars (\$250) from any party or a party’s agent, or from any participant or a participant’s agent if you know or have reason to know that the participant has a financial interest in the proceeding.

This applies during any 12-month period while the proceeding is pending and for 12 months following the date of the final decision.

12-Month Period Example 1

A party files an application with your office on January 1, 2023. The same day, the party contributes \$250 to your campaign committee. Your agency’s consideration of the application extends beyond one year and, on January 1, 2024, the party contributes another \$250 to your campaign committee. The party does not violate Section 84308 by making the second contribution while the proceeding is pending and you do not violate Section 84308 by accepting the second contribution because you have not received more than \$250 during any 12-month period.

12-Month Period Example 2

A party files an application with your office on January 1, 2023. The same day, the party contributes \$150 to your campaign committee. On July 1, 2023, the party contributes another \$100. The matter is pending before you the proceeding extends beyond one year. On January 1, 2024, the party contributes another \$250.

The party violates Section 84308 and you will violate Section 84308 by accepting the \$250 contribution because you received more than \$250 during a 12-month period. You received \$100 from the party on July 1, 2023, and \$250 on January 1, 2024, for a total of \$350 during a 12-month period.

2. Prohibition: Taking Part in Entitlement for Use Proceeding

You are prohibited from making, participating in making, or in any way attempting to use your official position to influence the decision in an entitlement for use proceeding pending before the agency if you have willfully or knowingly received a contribution in an amount of more than two hundred fifty dollars (\$250) within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent if you know or have reason to know that the participant has a financial interest in the decision.

- **Making a Governmental Decision:** You “make” a governmental decision if you authorize or direct any action, vote, appoint a person, obligate or commit your agency to any course of action, or enter into any contractual agreement on behalf of your agency.
- **Participating in a Governmental Decision:** You “participate in making a governmental decision” if you provide information, an opinion, or a recommendation for the purpose of affecting the decision without significant intervening substantive review.
- **Attempting to Use Official Position to Influence a Governmental Decision:** You “attempt to use your official position to influence a governmental decision” if you: (1) contact or appear before any official in your agency or in an agency subject to the authority or budgetary control of your agency for the purpose of affecting a decision; or (2) contact or appear before any official in any other government agency for the purpose of affecting a decision, and you act or purport to act within your authority or on behalf of your agency in making the contact.

3. Disclosure Requirements: Contributions Received in Prior 12 months

If you have received a contribution exceeding \$250 from a party, participant, or agent thereof *within the preceding 12 months*, you are required to disclose (or have another agency officer or employee disclose on your behalf) the contribution as follows:

- **Form:** Disclosure may be made orally or in writing when made in a meeting. Disclosure must be made in writing if no meeting is held.
- **Timing:** If a public meeting is held, disclosure must be made at the beginning of the meeting. If you learn of the party's contribution or the participant's contribution and financial interest during the meeting, disclosure must be made before you continue to take part in the proceeding. If no public meeting is held, written disclosure must be entered into the agency's public record.
- **Contents:** The disclosure must include:
 - The fact that you have received contributions from a party, participant, or agent thereof, greater than \$250 within the preceding 12 months; and
 - The name(s) of the contributor(s).
- **Legally Required Participation:** If you are taking part in a governmental decision on the basis that your participation is legally required, the disclosure must also include:
 - A summary description of the circumstances under which you believe the conflict may arise; and
 - The legal basis for concluding there is no alternative source of decision.

C. AM I TAKING PART IN A “PENDING LICENSE, PERMIT, OR OTHER ENTITLEMENT FOR USE” PROCEEDING?

1. License, Permit, or Other Entitlements for Use Proceedings

Section 84308 defines the term “license, permit, or other entitlement for use” to mean “all business, professional, trade, and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (*other than competitively bid, labor, or personal employment contracts*), and all franchises.”

The term “entitlement for use” is not defined by Section 84308. The overall scheme and purpose of Section 84308 suggests that the types of proceedings which should be covered by Section 84308 are those in which specific, identifiable persons are directly affected or in which there is a direct substantial financial impact upon the participants. The California courts have examined the term “entitlement for use” in other contexts. These decisions provide useful guidance; however, interpretation of the Act is not necessarily limited by interpretation of other laws. Below is a list of proceedings the FPPC has previously advised on as entitlement for use proceedings. (See, e.g., *Velasquez* Advice Letter, No. I-23-065; *Quadri* Advice Letter, No. A-02-096; *Washington* Advice Letter, No. I-91-521.)

Note: Section 84308 does not cover proceedings in which general policy decisions or rules are made or where the interests affected are many and diverse.

Examples of Entitlement for Use Proceedings

- Building and development permits
- Charter school petitions
- Conditional use permits
- Contracts generally, including small purchase order agreements, unless an exception applies
- Public street abandonments
- Private development plans
- Professional license revocations
- Rezoning of specific real estate parcels
- Event permits
- Rulemaking procedures affecting a particular industry where only a small number of businesses are affected
- Special district formation proceedings involving the creation of a special use or benefit to the persons in the district
- Tentative subdivision and parcel maps
- Zoning variances

2. When is the Proceeding “Pending”?

For an officer, an entitlement for use proceeding has commenced and is considered “pending” only when:

- The decision is before you for your consideration. If you are a member of a governing body, this includes any item placed on the agenda for discussion or decision at a public meeting of the body; **or**
- You know or have reason to know the proceeding is *before the jurisdiction of your agency* for its decision or other action, *and it is reasonably foreseeable the decision will come before you in your decision-making capacity.*
- **Note:** A different definition of “pending” applies to parties, participants, and their agents. For these persons, it is “pending” when it is before the agency’s jurisdiction for action.

Pending Proceeding Example 1

A non-profit organization submits a permit application to the City Parks Department to host a large event at a City park. You are a member of the City Council. Absent any outside knowledge, at this point, you do not “know or have reason to know” about the proceeding and, therefore, it is not “pending” for you. Therefore, you would not violate Section 84308 by accepting, soliciting, or directing a contribution of more than \$250 from the non-profit *at this point in the process.*

Pending Proceeding Example 2

Continuing the above example, the event permit application is rejected by the Parks Department and the non-profit appeals the decision to the City Council. The non-profit's permit item appears on the agenda for an upcoming City Council meeting. At this point, the proceeding is "pending" for you and you are now prohibited from accepting, soliciting, or directing a contribution of more than \$250 from the non-profit.

Pending Proceeding Example 3

Alternatively, suppose that prior to the permit decision appearing on a City Council meeting agenda, a City staff member told you that the project was pending before the Parks Department and would likely come before the City Council at some point if the Parks Department rejects the application. Because you have this information, the proceeding would be "pending" for you, even though the item had not yet been included on a City Council meeting agenda.

D. FOR THE PROCEEDING, WHO ARE THE "PARTIES, PARTICIPANTS, OR THEIR AGENTS"?

1. Parties

Section 84308 defines "party" as "any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use."

2. Participants

Section 84308 defines "participant" as any person who is not a party but who **actively supports or opposes a particular decision** in an entitlement for use proceeding and who has a **financial interest** in the decision.

In general, a person will qualify as a participant if the person has a financial interest in the proceeding and communicates with you or agency staff for the purpose of influencing a decision in the proceeding. This includes when the person:

- Lobbies in person;
- Testifies in person; or
- Otherwise acts to influence a proceeding by communicating with an officer or employee of the agency for the purpose of influencing a decision in the proceeding.

Note: This does not include communications made to the public outside of the proceeding.

Participant Example 1

One person sends a letter to the City Council regarding an entitlement for use proceeding. Another person makes a public comment regarding the entitlement for use proceeding during a public meeting. If either person has a financial interest in the proceeding, that person qualifies as a **participant**.

Participant Example 3

One person writes an op-ed article, published in the local paper, in support of the City Council approving an application in an entitlement for use proceeding. Another person protests outside of City Hall before the entitlement for use proceeding is held, yelling and chanting that the City Council should vote no on the underlying project. Even if one of these persons has a financial interest in the proceeding, as long as the person does not communicate directly with the officer or agency regarding the proceeding, the person is **not a participant**.

Financial Interests

In general, a person is considered to have a “financial interest” for purposes of Section 84308 if it is **reasonably foreseeable the proceeding, or a governmental decision within the proceeding, would have a material financial effect on one or more** of the person’s **economic interests**. Relevant economic interests include the person’s interests in business entities, real property, sources of income, sources of gifts, and personal finances.

Determining whether a person has a **financial interest** in a proceeding or particular governmental decision can be a complex matter. For this reason, if you have knowledge or reason to know that a person who may qualify as a participant in a proceeding has a potential financial interest, you should contact the FPPC for assistance to understand whether the duties and prohibitions of Section 84308 will apply. More information on financial interests, when a financial interest is “material” and when you would have “reason to know” is detailed further below.

3. Agents

A person is the “agent” of a party or participant in a pending entitlement for use proceeding if the person:

- Represents that party or participant for compensation; and
- Appears before or otherwise communicates with the governmental agency for the purpose of influencing the pending proceeding.

Note: An individual will qualify as an agent only if the individual's communication with an agency is *for the purpose of influencing the pending proceeding*. An individual whose communications with an agency are *not* made for the purpose of influencing the proceeding is not considered an agent for purposes of Section 84308, even if the individual receives compensation from a party or participant.

Agent Example 1

Ainsley Atkinson, an attorney, is paid to represent a client real estate developer, Rio Estates, in obtaining a real estate development agreement and drafts a letter in support of the project on behalf of Rio Estates. Atkinson sends the letter to the County Planning Commission ahead of the Commission's consideration on whether to approve a building permit. Because Atkinson is paid to represent Rio Estates and has communicated with the agency for the purpose of influencing the proceeding, Atkinson **is an agent** for Rio Estates.

Agent Example 2

Suppose Atkinson's letter in support of the project is sent to the County Planning Commission by Atkinson's assistant, rather than Atkinson herself. Although the letter is intended to influence the proceeding, the assistant's purpose in sending the letter is not; rather, the assistant's purpose in sending the letter is administrative/secretarial. Likewise, the assistant is not paid to represent Rio Estates; the assistant is paid to assist Atkinson. For these reasons, the assistant **is not an agent** Rio Estates.

Agent Example 3

Continuing the above examples, the Planning Commission considers the project application. The project architect, Priyanka Archer, hired by the client, attends the meeting and provides purely technical data and analysis in response to Planning Commission questions. As long as Archer does not otherwise engage in direct communications for the purpose of influencing the proceeding, Archer **is not an agent** for Rio Estates.

E. Do I “KNOW OR HAVE REASON TO KNOW” A PARTICIPANT HAS A “FINANCIAL INTEREST IN THE PROCEEDING”?

1. What is a Financial Interest in a Proceeding?

Under the Political Reform Act, a person has a “financial interest” in a governmental decision when it is reasonably foreseeable that the governmental decision at issue would have a **material financial effect** (of a positive or negative nature) on a person’s interest in:

- A **business entity** as an employee, director, officer partner, trustee, manager or an investment interest of \$2,000 or more.
- **Real property** with a value of \$2,000 or more including a leasehold interest but not a month-to month tenancy.
- **Source of income** totaling \$500 or more in the 12 months prior to the proceeding.
- **Source of gift** totaling \$590 or more in the 12 months prior to the proceeding.
- The participant’s **personal finances** or the participant’s immediate family member.

Note: For a party in an entitlement for use proceeding, Section 84308’s requirements and prohibitions automatically apply. The relevance of a “financial interest” in an entitlement for use proceeding is only relevant to determining whether an individual qualifies as a participant for purposes of Section 84308.

2. When Do I Know About it?

As an officer, you are considered to “know or have reason to know” that a participant has a financial interest in a decision only if you have actual knowledge of the financial interest, or the participant reveals facts in written or oral statements during the proceeding before you that make the participant’s financial interest apparent.

Under Section 84308, you are required to consider all relevant facts known to you in determining whether a participant has made a financial interest apparent. This includes:

- The specificity with which the participant has described their economic interests;
- The potential for a material financial effect on those interests as a result of the decision; and
- The realistic possibility of the financial effect.

Note: If a participant describes or mentions the financial impact a proceeding, or a governmental decision within the proceeding, would or could have on the participant's financial interest you must consider the information provided and the impact the decision may have on the interest.

In addition to the general rule stated above, you will by default be deemed to have "reason to know" that a participant has a financial interest in the proceeding if you have facts indicating the participant has any of the following:

- A **business entity interest** that may see a significant increase or decrease in customers as a result of the proceeding;
- A **real property interest** located within 500 feet of the real property at issue in the proceeding. (Note: An officer does not have "reason to know" if the facts are solely that the participant has an economic interest located in the general vicinity of a business entity or real property at issue in the proceeding.)
- A **business relationship** with the applicant and the decision may result in additional services provided to the applicant.

Note: if the officer knows there is clear and convincing evidence establishing it is not reasonably foreseeable the decision will have material financial effect on the participant's interests, the participant does not have a financial interest in the proceeding.

3. Standards and Facts Relevant to Particular Types of Participant's Financial Interests

To determine whether you "know or have reason to know" that the participant has a financial interest in the decision for purposes of Section 84308, ask yourself if you have any of the information discussed below:

a. Explicitly Involved Interest in the Proceeding

If an individual has an economic interest such as a business entity, real property, or source of income explicitly involved in the proceeding, the individual will have a financial interest in the proceeding and therefore qualify as a participant. For example, if the individual's employer is the applicant in the proceeding and the individual provides public comment—even in their capacity as a private citizen rather than as an agent advocating in their paid capacity as an employee—the individual will qualify as a participant.

However, in circumstances where it is not apparent that the individual's economic interest is explicitly involved in the proceeding, consider the following:

b. Business Entity Interest in the Proceeding.

Generally, a participant's financial interest in a business entity not explicitly involved in a governmental decision will only become apparent if they reveal facts indicating any of the following:

- **Change in Revenue:** The decision may result in an increase or decrease of the entity's annual gross revenues, or the value of the entity's assets or liabilities, in an amount equal to or more than: (A) \$1,000,000; or (B) five percent of the entity's annual gross revenues and the increase or decrease is at least \$10,000.
- **Change in Expenses:** The decision may cause the entity to incur or avoid additional expenses or to reduce or eliminate expenses in an amount equal to or more than: (A) \$250,000; or (B) one percent of the entity's annual gross revenues and the change in expenses is at least \$2,500.
- **Impact on Real Property:** The entity has an interest in real property and: (A) the property is a named party in, or the subject of, the decision; or (B) there is clear and convincing evidence the decision would have a substantial effect on the property.

Business Entity Example 1

A person provides public comment at a City Council meeting, speaking in support of a developer's permit application. The person specifies, "I work for the developer, but I'm not being paid to be here. I'm just here in my personal capacity because I think the project would benefit the community." Here, the participant has a business entity interest in the applicant as their employer, and you know the proceeding would have a reasonably foreseeable, material financial effect on that business entity interest given the fact that the employer is the applicant in the proceeding.

Business Entity Example 2

Continuing the above example, another person stands up at the City Council meeting and provides public comment, stating, "I'm a licensed electrician and I think a development project of this size would bring a lot of valuable jobs to local tradespeople like me." The person has indicated they have a business entity interest in their business as an electrician and has also indicated the project would potentially benefit their business, but has not provided any facts indicating their business could benefit, for example, by \$1,000,000 or result in an increase of five percent of annual gross revenue and at least \$10,000. Because of the general facts provided, you would not have reason to know that the individual has a financial interest in the proceeding.

c. Real Property Interests in the Proceeding.

When considering the materiality of a financial effect on real property not explicitly involved in a governmental decision, the proximity of the participant's real property to the real property at issue in the decision is of particular importance. Are you aware of any of the following concerning the participant's real property - is it:

- **Within 500 Feet:** from the subject property of a governmental decision and there is no "clear and convincing evidence" the decision will have no measurable impact on the participant's property.
- **Between 500 and 1,000 Feet:** from the subject property of a governmental decision and the decision would change the parcel's:
 - Development potential;
 - Income producing potential;
 - Highest and best use;
 - Character by substantially altering traffic levels, intensity of use, parking, view, privacy, noise levels, or air quality; or
 - Market value.

However, if you are aware that the participant's real property is:

- **Over 1,000 Feet:** from the subject property of a governmental decision the decision is presumed to not have a reasonably foreseeable, material financial effect on the individual's real property absent "clear and convincing evidence" of a substantial effect on the participant's property.

Note: You are not considered to "know" or "have reason to know" of a participant's financial interest in a decision solely as a result of the participant identifying an economic interest located in the general vicinity of a business entity or real property at issue in the proceeding.

Real Property Example 1

An individual provides public comment at a City Council meeting opposing a development project because of the effect they believe the project will have on nearby residences and notes, "I live near this project." Based solely on these comments, you would not know or have reason to know whether the individual has a real property interest within 500 or 1,000 feet or further away from the project.

Real Property Example 2

If, however, the individual said, “I live within 100 yards,” or “I live directly across the street” from the project, you would be aware that the individual lives within 500 feet of subject property and unless there are clear facts that the decision would have no measurable impact on her property, the Section 84308 requirements and prohibitions will apply to this person as a participant.

If you are aware or the individual mentions they have a **leasehold interest** in real property, they will have a financial interest if the decision would: (1) Change the termination date of the lease; (2) Increase or decrease the potential rental value of the property; (3) Change the person’s use of the property; or (4) Impact the use and enjoyment of the property. A month-to-month tenancy is *not* a “real property interest” under the Act.

Note: There are certain exceptions applicable to determining a material interest in real property, such as when the proceeding includes a decision that solely concerns repairs/maintenance or replacement of existing streets, water, sewer, storm drainage or similar facilities. (For decisions relating the adoption or amendment of a General Plan, please consult Regulation 18702.2(d)(2) or seek further advice.)

d. Source of Income Interests

Generally, a participant’s financial interest in a source of income not explicitly involved in the decision, will only become apparent if they reveal facts indicating any of the following and the source is a:

- **Business Entity:** Apply the standards discussed above for determining a material financial effect on business entity interests.
- **Nonprofit Organization:** Apply the same standards discussed above for determining a material financial effect on a business entity.
- **Individual:**
 - Personal Finances: The decision may affect the individual’s income, investments, assets, or liabilities by \$1,000 or more;
 - Impact on Business: The participant knows or has reason to know the individual has an interest in a business entity that will be materially financially affected under the standards pertaining to business entity interests, described above;
 - Impact on Real Property: The participant knows or has reason to know the individual has an interest in real property and the property is a named party in, or the subject of the decision, or there is clear and convincing evidence the decision would have a substantial effect on the property.

“Nexus” Test: The governmental decision is also considered to have a reasonably foreseeable, material financial effect if it would achieve, defeat, aid, or hinder a purpose or goal of the source of income and the participant or their spouse receives or is promised the income for achieving the purpose or goal.

Source of Income Example

At a City Council meeting, a member of the public provides comment and states, “I work for the Downtown Business Chamber of Commerce and my job is to bring business to Downtown and help revitalize the Downtown area economy. Approval of this project would do just that.” Based on the person’s comments, you know it is reasonably foreseeable the proceeding would have material financial effect on the person’s source of income—the Downtown Business Chamber of Commerce—based on the nexus between the governmental decisions at issue and the Chamber of Commerce’s goals that the speaker is paid to achieve. The Section 84308 requirements and prohibitions would apply to this participant.

e. Source of Gift Interests

Generally, a participant’s financial interest in an individual as a source of gift not explicitly involved in a governmental decision will only become apparent if they reveal facts indicating any of the following:

- **Business Entity:** Apply the standards discussed above for determining a material financial effect on business entity interests.
- **Nonprofit Organization:** Apply the same standards discussed above for determining a material financial effect on a business entity.
- **Individuals:**
 - The individual’s personal finances will be materially impacted, as described in the “Personal Finances” section below;
 - The participant knows or has reason to know the individual has an interest in a business entity or real property that will be materially financially affected under the standards pertaining to business entity or real property interests, described above;
 - The participant knows or has reason to know the individual has an interest in real property and the property is a named party in, or the subject of the decision, or there is clear and convincing evidence the decision would have a substantial effect on the property.

f. Personal Finances

In general, a governmental decision’s reasonably foreseeable financial effect on a participant’s personal finances or the finances of the participant’s immediate family is material if the decision may result in the participant or participant’s immediate family member receiving a financial benefit or loss—other than a financial impact on a

business entity or real property interest—of \$500 or more in any 12-month period due to the decision. This does not apply if the decision’s financial impact would affect the participant’s economic interest in a business entity or real property, as such financial effects are considered separately under the standards discussed above.

F. HAVE I “WILLFULLY OR KNOWINGLY” RECEIVED A \$250 OR GREATER CONTRIBUTION FROM A PARTY, PARTICIPANT, OR AGENT WITHIN THE PAST 12 MONTHS?

1. Knowledge of a Contribution

As an officer, you are considered to have “willfully or knowingly” received a contribution under any of the following circumstances:

- **Actual knowledge:** You have actual knowledge of the contribution;
- **Disclosure by the Party:** The contribution has been disclosed by the party pursuant to Section 84308(e) and Regulation 18438.8; or
- **Other Reasons to Know:** You are aware of facts including, but not limited to:
 - The party, participant, or another person has otherwise informed you that a contribution or contributions have been made to you;
 - The party or participant has previously made two or more contributions of more than \$250 to you;
 - You personally solicited the party or participant for a contribution; or
 - You personally accepted a contribution from the party or participant.
- **Relevance of Prior Campaign Reporting:** Note that the fact that a contribution was previously included in a campaign report filed by your campaign committee does not constitute “reason to know” of a party’s or participant’s contribution except in the following circumstances:
 - The party’s proceeding has also been noticed on an agenda for a public meeting before the body or board of which you are a member *or*,
 - For officers not on a body or board, the proceeding is before you in your decision-making capacity.

Campaign Reporting Example

You are a City Councilmember. A development project application is included on the agenda for the next City Council meeting. The applicant has failed to disclose the \$300 contribution he made to your campaign committee eight months ago, in violation of Section 84308. (Where the contribution is made prior to the proceeding, the party must disclose the contribution at the time of filing the application.) The project application was included on the City Council meeting agenda. The \$300 contribution was included in a campaign report filed by your campaign committee. Accordingly, at the point the project application appears on the City Council meeting agenda, you have reason to know about the developer's \$300 contribution—even though the applicant did not disclose it in their initial application—and you must either recuse yourself from the proceeding or return the amount exceeding the \$250 contribution limit.

2. How is the \$250 Calculated?

In determining whether you have received a contribution of more than \$250 from a party, participant, or agent, consider the following:

- **Aggregation:** To determine whether you have received a contribution of more than \$250 from a party or participant or their respective agent during a 12-month period, you must aggregate all of the following:
 - All contributions made by the party or by the participant; with
 - All contributions made by the party's agent or the participant's agent during the shorter of: (A) The previous 12-month period; or (B) The period beginning on the date the party or participant first hired the agent as either a paid employee, contractor, or consultant; and
 - All contributions made by an individual, other than an uncompensated officer of a nonprofit organization, or entity required to be aggregated with the party or participant and any agent of the party or participant under Section 82015.5 (see discussion below) of the Political Reform Act.

Exception: Although the above contributions generally must be aggregated for purposes of determining whether you have received a contribution exceeding \$250, you do not have reason to know about a contribution from an individual or entity required to be aggregated with contributions by a party, participant, or agent—and you do not violate Section 84308 as a result of the contribution—if, at the time of the potential violation, both the following criteria are met:

- (1) The party, participant, or agent has not disclosed the contribution on the record of the proceeding; and
- (2) You do not otherwise know facts establishing that the contribution must be aggregated pursuant to Section 82015.5 and Regulation 18438.5.

Section 82015.5

Section 82015.5 provides:

- If an individual directs or controls an entity's contributions, the entity's contributions shall be aggregated with contributions made by both of the following:
 - That individual.
 - Any other entity whose contributions that individual directs or controls.
- If two or more entities make contributions that are directed or controlled by a majority of the same persons, the contributions of those entities shall be aggregated.
- Contributions made by entities that are majority owned by a person shall be aggregated with the contributions of the majority owner and all other entities majority owned by that person, unless those entities act independently in their contribution-making decisions.

In practice, Section 82015.5's aggregation rules will most frequently come into play when you have received a contribution from a party or participant, as well as a contribution from a business owned by the party or participant or from a parent/subsidiary/sister corporation of the party or participant.

Note: In general, a spouse of a party or participant is not also considered a party or participant and, therefore, contributions by a spouse are not aggregated with contributions by the party or participant. The two scenarios in which contributions by a spouse are aggregated with contributions by the party or participant are where:

- (1) The proceeding involves real property or a business interest that is owned jointly by the spouses; or
- (2) The spouse is acting as the agent of their party or participant spouse.

Aggregation Example 1

A proceeding is on the agenda for the next public meeting of the governmental board you are a member of. You check whether the party involved has contributed to any of your controlled committees within the past 12 months and see that the party contributed \$200 six months ago. No other contributions have been disclosed by the party or the party's agent. Accordingly, you take part in the proceeding at the public meeting.

After the meeting, you learn that the party owns a company that also contributed \$200 to your committee six months ago, for an aggregate total contribution of \$400 within the past six months. Because the party and the party's agent did not disclose the contribution by the party's company and you did not know facts establishing that the contribution by the party's company needed to be aggregated with the party's contribution—i.e., you did not know of the connection between the party and the company—your participation in the proceeding **was not a violation** of Section 84308.

Aggregation Example 2

Using the above example, suppose that during the course of the meeting—after you have already begun participating—the party discloses that their company contributed \$200 to your committee six months ago. At that point, you would know facts establishing that the contributions need to be aggregated and would amount to more than \$250 within the past 12 months. Your continued participation in the proceeding would be a **violation** of Section 84308, unless you disclosed on the record of the proceeding the fact that the contributions were disqualifying and confirmed you would return the disqualifying portion of the contribution within 30 days and subsequently did, in fact, return the disqualifying portion of the contribution.

G. CAN I RETURN A CONTRIBUTION?

Under Section 84308, you are permitted to return a contribution that would otherwise disqualify you from an entitlement for use proceeding if you **return the contribution within 30 days** from the time you know, or should have known, about the contribution and the proceeding. You are permitted to make such a return if:

- (1) The contribution was received from a **party** prior to you knowing or having reason to know that a proceeding involving the party had commenced. For purposes of this provision, if you serve on a governing body or board, you are considered to know or have reason to know a proceeding involving the party has commenced if the proceeding has been noticed on the agenda for a public meeting of the board; or
- (2) The contribution was received from a **participant** prior to you knowing or having reason to know that the participant had a financial interest in the proceeding.

If you are serving on a governing body or board and would otherwise be disqualified under Section 84308 from taking part in a proceeding, you may take part in the proceeding prior to returning the contribution if all the following criteria are met:

- (1) The decision is made at a public meeting of the governing body or board;
- (2) You have known or should have known about the contribution and proceeding for fewer than 30 days;
- (3) After learning of the contribution or proceeding and prior to taking part in any further discussion or decision, you disclose the fact of the disqualifying contribution on the record of the proceeding, as required by Section 84308(c), and confirm that the return will occur within 30 days from the time you knew, or should have known, about the contribution and proceeding; and
- (4) The contribution is returned within that timeframe.

Return of Contribution Example

You are a member of the City Council. At a public meeting held on March 11, the City Council will consider a proposed development agreement. The developer donated \$300 to your campaign committee six months ago. You learned about the proceeding when the meeting agenda was published 10 days ago, on March 1. At the beginning of the meeting, you disclose the contribution over \$250 from the developer within the preceding 12 months, but state that you will return the disqualifying portion by March 31—30 days after you first knew, or should have known, about the contribution and proceeding. You may then take part in the proceeding without violating Section 84308 as long as the disqualifying portion is, in fact, returned by March 31.

H. FREQUENTLY ASKED QUESTIONS

1. Is my local government position covered under Section 84308?

Under Section 84308, “officer” means “any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency.” This includes local government positions. The only officials Section 84308’s requirements do not apply to are officials in the judicial branch, the Legislature, Board of Equalization, and constitutional officers.

2. What if I am an officer in the midst of a proceeding and the individual testifying in support of a project discloses they made a \$300 contribution to my campaign and states they live “in the neighborhood near the project site.” Do I have “reason to know” that the individual has a financial interest in a proceeding so that they qualify as a “participant” for disclosure and recusal purposes?

You must consider your knowledge and the specific facts provided. An officer does not know of a participant’s financial interest in a decision solely as a result of the participant identifying an economic interest located in the general vicinity of a business entity or real property at issue in the proceeding.

If, after considering the specificity of the facts provided, you are not certain, you should either:

(A) In an abundance of caution, recuse yourself from the proceeding until you can determine with certainty that the individual does *not* constitute a participant in the proceeding; or

(B) Not recuse, but follow the steps in the meeting for returning the disqualifying portion of the contribution received from the individual, including disclosing the contribution, pledging to return the disqualifying amount within the relevant timeframe, and then doing so. If the appropriate steps for the return of a contribution are completed, your continued participation in the proceeding does not constitute a violation of Section 84308.

As an officer, you are required to consider all relevant facts known by you at the time of the decision in determining whether the facts revealed by a person have made a financial interest apparent. You should familiarize yourself with the relevant “reasonable foreseeability” and “material financial effect” standards discussed in this document, as well as available on the FPPC website at <https://fppc.ca.gov/learn/conflicts-of-interest-rules.html> and <https://fppc.ca.gov/the-law/fppc-regulations/regulations-index.html> (Regulations 18701 and 18702.1-18702.5). If you are uncertain whether the facts known by you make a person’s financial interest apparent, you may wish to seek advice from agency counsel or the FPPC.

3. Other than being made “orally,” “in writing,” or “on the record,” what form must disclosure take?

Neither Section 84308 nor its related regulations specify the exact form disclosure must take beyond the requirements discussed in the “Disclosure” section above. Given the wide variety of agencies and jurisdictions Section 84308 applies to, disclosure may take different forms. For example, one agency may decide to include all relevant disclosures in writing as part of the meeting agenda, while another agency may choose to have agency counsel make a disclosure on an officer’s behalf and have the disclosure included in the meeting minutes. As long as a record of the disclosure is maintained by the agency and may be accessed by the public, the agency may decide on its preferred process for disclosure.

4. I am a candidate for office but I am not currently an officer of an agency. Am I prohibited from accepting, soliciting, or directing a contribution from a party or participant involved in a proceeding before the agency the candidate is campaigning for office in?

No. A candidate for office who does not hold any other governmental position does not meet the definition of “officer of an agency” and therefore is not prohibited from accepting, soliciting, or directing such contributions from a party, participant, or agent, **but may be prohibited** from taking part in a proceeding involving the party, participant, or agent *once elected* if they have received a contribution of more than \$250 within the preceding 12 months.

5. I am a candidate for a school board position and I am an employee of the County Planning permit department. Am I subject to Section 84308 due to my employment given that a building application does not in any way relate to a school board position?

Yes. You are subject to Section 84308. The office a candidate is running for does not need to relate to the entitlement for use proceeding in order for Section 84308 to apply.

6. Is a “strong mayor” with veto power over city council decisions permitted to exercise that veto power—even when the mayor has received ordinarily disqualifying contributions of more than \$250 from a party, participant, or agent thereof—on the basis of “legally required participation”?

Yes. Because a “strong mayor” is legally required to exercise the powers and fulfill the duties authorized by a city charter and, to the extent the city charter authorizes a mayor to take part in an entitlement for use proceeding, conduct that would ordinarily disqualify a mayor under Section 84308 does not prohibit the mayor from participating. (Granda Advice Letter, No. I-23-102.)

However, the legally required participation exception does not excuse other violations of Section 84308 and a **strong mayor** taking part in an entitlement

proceeding pursuant to the exception is still required to refrain from soliciting, directing, or receiving contributions from parties/participants while the proceeding is pending and for 12 months thereafter, and must also make all necessary disclosures.

7. Are personal contributions from members of a governmental board in their individual capacity considered contributions “from the governmental board”? Do the contributions need to be aggregated?

No. Contributions made in the member’s personal capacity, are not considered contributions from the governmental board and are not aggregated with contributions made by other members of the body or board made in their personal capacities.

8. May I accept, solicit, or direct contributions exceeding \$250 from an unpaid, volunteer officer of a non-profit organization, if the organization is a party, participant, or agent in the proceeding?

Yes. Contributions from an uncompensated officer of a non-profit organization are not aggregated with contributions by the non-profit organization, given that the uncompensated officer does not have a financial interest in the proceeding. The non-profit organization is not a “business entity” and it is not a “source of income” to the volunteer officer.

9. I am an elected local officer. Can I be disqualified from taking part in an entitlement for use proceeding based on contributions the officer received in 2022, within 12 months of the proceeding?

No. Under Regulation 18438, Section 84308’s provisions, as amended by SB 1439 and effective as of January 1, 2023, do not apply to contributions received prior to that date. If Section 84308 did not apply to you before January 1, 2023, contributions you received and proceedings you participated in prior to that date do not implicate Section 84308.

10. Does the \$250 limit apply to each candidate or each committee? For example, can a party donate \$250 to two committees controlled by the same officer?

The \$250 limit applies to **each candidate, not each committee**, such that a party, participant, or agent may not donate more than \$250 across all of an officer’s controlled committees.

11. A business contributed more than \$250 to my campaign a few months ago. Now an employee of the business is coming before my agency in their personal capacity, applying for a building permit to remodel their home. Am I disqualified from the proceeding based on the business’s \$250+ contribution?

Generally, no. In the described circumstances, the employee would be the party in the proceeding, while the business would not be a party or agent of the employee-party. Assuming the business is not structured in such a way that the “employee” is, in

fact, the majority owner of the company or directs or controls the company's contributions, the contributions made by the company would not be aggregated with contributions made by the employee. Therefore, the officer who received a \$250+ contribution from the company would not be disqualified from the proceeding.

12. Are project labor agreements establishing the terms and conditions of employment for workers on certain projects considered exempt "labor contracts" under Section 84308?

Yes. A "labor contract" is defined as "a contract or agreement reached through collective bargaining or with a representative group regarding the salary, benefits, or terms and conditions under an employment or retirement policy for employees or retirees, including a project labor agreement entered into under Public Contract Code Section 2500."

13. If a union representative provides public comment in support or in opposition of a governmental decision and indicates the decision will have a financial impact on its members, is the union considered a "participant"?

Only if the union organization itself has a financial interest under the standards applicable to a nonprofit organization. To be a "participant," a person (including a nonprofit organization) must have a financial interest in the proceeding. A nonprofit organization such as a union does not necessarily have a financial interest in a proceeding solely because it would be beneficial to the organization's members.

The relevant standards for determining a reasonably foreseeable, material financial effect on a nonprofit organization, such as a union, are:

- **Change in Receipts:** The decision may result in an increase or decrease of the organization's annual gross receipts, or the value of the organization's assets or liabilities, in an amount equal to or more than: \$1,000,000; or five percent of the organization's annual gross receipts and the increase or decrease is equal to or greater than \$10,000.
- **Change in Expenses:** The decision may cause the organization to incur or avoid additional expenses or to reduce or eliminate expenses in an amount equal to or more than: \$250,000; or one percent of the organization's annual gross receipts and the change in expenses is equal to or greater than \$2,500.
- **Impact on Real Property:** The official knows or has reason to know that the organization has an interest in real property and: the property is a named party in, or the subject of, the decision; or there is clear and convincing evidence the decision would have a substantial effect on the property.

Accordingly, unless it is reasonably foreseeable that a nonprofit organization would experience any of the above financial effects (e.g., the union's receipt of union dues increases by \$1,000,000 as a result of the increased union wages caused by a government contract), the nonprofit organization will not qualify as a "participant" and an

officer is not prohibited from receiving more than \$250 from the organization advocating for or against a particular decision in an entitlement proceeding.

CANDIDATE'S STATEMENT

(Elections Code §§ 13307, 13309, 13311, 18351)

The Candidate's Statement is optional. If a candidate chooses to have a statement, it will be mailed to voters as part of the County Voter Information Guide.

The candidate must decide before filing the nomination documents if he/she wants to submit a statement. A statement cannot be submitted after nomination documents have been filed. The Candidate Statement Form with the candidate's decision must be filed at the time nomination documents are filed. A Statement, however, may be withdrawn up to 5:00 p.m. of the next working day after the nomination period closes.

The filed statement is confidential until the date for withdrawing candidacy is over. It will then be available for public inspection.

Before the nomination period begins, the governing body of the city must adopt regulations stating whether the city or the candidate will pay the cost of the Candidate's Statement. The Clerk must issue a copy of the regulations to each candidate or his/her representative at the time nomination forms are issued.

If the candidate pays, then a candidate wishing to submit a Candidate's Statement must pay the full deposit to cover the estimated cost of printing, handling, and mailing of his/her statement. This deposit must be paid at the time the Candidate's Statement is filed (payment must be by check payable to the City Clerk). The City Clerk's office should be prepared to answer candidates' questions regarding indigent status.

If the city pays, no deposit is required of the candidate.

If, after the statements are printed and mailed out, the actual cost to each candidate is found to be **greater** than the deposit, then the candidate must pay the extra amount. Every candidate who submits a statement must sign an agreement on the front of the Candidate's Statement Form to pay if billed.

On the other hand, if the actual cost to each candidate turns out to be **less** than the deposit, that portion of the deposit over the actual cost will be refunded. Refunds will be made within 30 days after the election.

Your receipt to the candidate for payment of a Candidate's Statement must state that the deposit required is only an estimate.

Elections Code Section 13307 authorizes a candidate's statement for electronic distribution. It requires the statement to be posted on the internet website of the elections official, permits the statement to be included in a voter's pamphlet that is electronically distributed, and prohibits the statement from being included in a voter's pamphlet that is printed and mailed to voters.

CANDIDATE'S STATEMENT (Continued)

Please note that the estimates provided are as close to the actual cost as possible. The estimates are calculated based on the method of our printing service. Therefore, we strongly advise the City Clerk to require each candidate to submit the estimated deposit.

The Elections Code provides that the Candidate's Statement may include the age and occupation of the candidate and a brief statement in not more than 200 words of the candidate's education and qualifications expressed in the candidate's own words ("Age" may be omitted, and the "Occupation" is not limited to three words on the Candidate's Statement Form). However, the candidate's use of the same designation as used on the ballot provides for consistency. Candidate statements shall be limited to a recitation of the candidate's own personal background and qualifications and shall not in any way make reference to other candidates for that office or another candidate's qualifications, character, or activities.

Some points to note in preparing the Candidate's Statement:

1. Candidates may not change their statements after they are filed.
2. Reference to political party affiliation or partisan political activity is not permitted.
3. The candidate shall not in any way make reference to other candidates for that office or another candidate's qualifications, character, or activities.
4. Making a false statement of material fact with the intent to mislead the voters is punishable by a fine of up to \$1,000.
5. A candidate who makes false, slanderous, or libelous statements in the Candidate's Statement is not exempt from civil or criminal action.

The 200-word limit must be observed (unless the City has adopted other provisions). Candidates must count the words carefully. Instruct them to read the word count guide on the front side of the form. The City Clerk should verify the count when the statement is filed and indicate the number of words in the space provided on the form.

CANDIDATE STATEMENT STYLE GUIDELINES:

- Statements will be printed in uniform type, style, and spacing.
- Words to be printed all CAPITALIZED and/or underscored are to be clearly indicated. **Bold** font is not permitted.
- The Registrar of Voters is not permitted to edit any material contained in candidate statements. Candidates are responsible for proofreading spelling, punctuation, and grammar. Since the statement cannot be changed after it is submitted, it is important for candidates to carefully prepare and proofread their statements.

CANDIDATE'S STATEMENT (Continued)



IMPORTANT NOTE:

Candidates should be aware that statements submitted may be reformatted to fit in the Voter Information Guide.

The Registrar of Voters will **NOT** correct spelling or grammatical errors of text.

The elections official shall not cause to be printed or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited by Elections Code § 13308.

From: Flores, Leticia
To: Janet Morales
Cc: Roots, Angela; Morales, Tiffany
Subject: City of Wildomar Estimated Candidate Statement Costs
Date: Thursday, June 27, 2024 9:02:45 AM

External Sender - From: ("Flores, Leticia"

<LCFlores@RIVCO.ORG>)

This message came from outside your organization.

Good Morning,

Estimated candidate statement costs for your jurisdiction are as follows:

City of Wildomar - District 2	\$500
City of Wildomar - District 4	\$500

Please note that this is only an estimate. Candidates may receive a bill or refund for the difference depending on how many candidates actually file a candidate statement. The electronic distribution of a candidate statement cost is \$260.

Thank you,

Leticia Flores

Chief Deputy Registrar of Voters
[Riverside County Registrar of Voters](#)
Email: lcflores@rivco.org
Phone: 951.486.7212
Fax: 951.486.7335

Confidentiality Disclaimer

This email is confidential and intended solely for the use of the individual(s) to whom it is addressed. The information contained in this message may be privileged and confidential and protected from disclosure.
If you are not the author's intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. If you have received this email in error please delete all copies, both electronic and printed, and contact the author immediately.

[County of Riverside California](#)

ART TINOCO
Registrar of Voters



MATTHEW CEBALLOS
Assistant Registrar of Voters

REGISTRAR OF VOTERS COUNTY OF RIVERSIDE

CANDIDATE STATEMENT FORMATTING FORM

Elections Code § 13307(b)(1) states that "The statement of each candidate shall be printed in type of uniform size and darkness, and with uniform spacing." The Registrar of Voters and County Counsel have interpreted this code to prohibit bold font only in candidate statement formatting. Therefore, the Registrar of Voters will permit italics, underlining, bullets, capitalized words, etc. As your city's election official for municipal elections, you may desire to implement a more stringent interpretation for your candidates.

City Clerks will be responsible for enforcing formatting requirements that exceed those acceptable by the County. It is suggested that you make candidates aware of any formatting restrictions as soon as possible.

The City Clerk has final sign-off and approval of candidate statements for elected city offices. Candidate statements may be submitted to the Registrar of Voters for typesetting in accordance with the city's formatting requirements; or, formatting corrections may be applied to the typeset statement transmitted to the City Clerk by the Registrar of Voters for sign-off.

The Registrar of Voters would like to have each city's candidate statement formatting requirements on file. Please indicate below which formatting options will be permitted for your city's candidate statements.

CAPITALIZED WORDS

Permitted

Not Permitted

Italics

Permitted

Not Permitted

Underlining

Permitted

Not Permitted

• Bullets

Permitted

Not Permitted

Other:

Please sign below to indicate the above formatting requirements apply to candidate statements for elected offices in your city.

Wildomar

Name of City

Janet Morales

Digitally signed by Janet Morales
Date: 2024.06.13 15:11:59 -07'00'

City Clerk Signature

June 13, 2024

Date

HELPFUL TELEPHONE NUMBERS

November 5, 2024 Election

City of Wildomar City Clerk (951)-297-3465

Fair Political Practices Commission (FPPC)

<http://www.fppc.ca.gov>

Free Advice Line (866) ASK FPPC (275-3772)

E-mail: advice@fppc.ca.gov (answered all day long – try this first)

RIVERSIDE COUNTY REGISTRAR OF VOTERS

(This is a consolidated election)

ELECTION NIGHT RESULTS

All results will be available from the County of Riverside Registrar of Voters website, www.voteinfo.net.

UPDATES AFTER ELECTION NIGHT

The Registrar of Voters will periodically count Provisional and Vote-by-Mail ballots (“Updates”) in the days and weeks following the election. They are allowed 30 days to provide the certification of the results to the City.

FINAL CERTIFICATION OF RESULTS

The Certification of the final official results of the election will be provided to the City Clerk no later than 30 days following the election. The City Council will meet at its usual place no later than the next regularly scheduled City Council meeting, following the certification from the County, to declare the results and install the newly elected officers.

Questions may be directed to the County’s Registrar of Voters at 951-486-7200 or 800-773-VOTE

Vote-by-Mail Voting.....	(951) 486-7207
Precinct / Maps	(951) 486-7338
Campaign Disclosure.....	(951) 486-7224
Registered Voters / Indexes (at a nominal fee).....	(951) 486-7201
Voter Registration	(951) 486-7200
Vote Centers/ Election Officers.....	(951) 486-7341
California Relay Services	(Dial 711)

VOTE CENTER INFORMATION

VOTE CENTERS

On Election Day Vote Centers are open from 7:00 a.m. until 8:00 p.m.

The following rules/regulations are presented to assist you in running a trouble-free campaign and avoiding any problems.

WORKING AT THE VOTE CENTER INFORMATION:



In addition to the general recruitment of Election Officers from among the county's registered voters, the Registrar of Voters uses three other specialized recruitment programs to identify Election Officers. They are the Student Pollworker program, and the County Pollworker program.

California Elections Code does not allow any candidate for elective office to use their residence or business as a Vote Center. (E.C. § 12287)

California Elections Code authorizes County Central Committees to nominate individuals to work on precinct boards. The nominee must be a registered voter, a member of the party making the nomination, and a resident of the precinct to which the nomination applies. These nominations must be made at least 90 days before the election for which the nomination is made. (E.C. § 12306)

WHY VOTE CENTERS CHANGE:



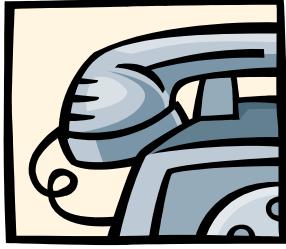
There are many reasons for choosing or changing a particular Vote Center. Any or all of the following reasons may apply:

- ★ Facilities become overcrowded or permission is no longer granted for a facility to be used as a Vote Center.
- ★ As precincts grow, boundaries have to be revised. This could result in your having to be assigned to a different Vote Center.
- ★ Previous Vote Centers were not accessible to the disabled and the elderly as dictated by law.
- ★ The different grouping of districts in an election could make it necessary to change your Vote Center from election to election.
- ★ Inadequate lighting, parking or other similar concerns may require a new location to be selected.
- ★ Construction/remodeling may render a Vote Center unavailable for an election.
- ★ Facility must be secure for storing voting equipment.

Vote Centers (Continued)

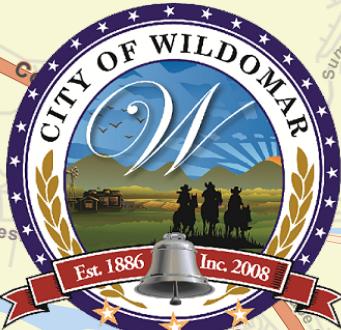
CAMPAINING / ELECTIONEERING:	<p>No person shall do any of the following within 100 feet of a Vote Center. (100 feet begins at the doorway of the room in which voters are voting).</p> <ul style="list-style-type: none"> ★ Circulate any petitions. ★ Solicit a vote; wear campaign insignia or clothing with campaign slogans or political advertisements. ★ Post any signs relating to candidates and/or measures. ★ Perform any type of electioneering activities. <p></p> <p>Election Officers are instructed to check for electioneering throughout the day. If an election officer advises you that you are too close or are in any way electioneering, please comply with the request to correct the problem. If the election officer is unable to resolve the problem, the Registrar of Voters will send a troubleshooter to the Vote Center and/or summon law enforcement for assistance. It should be noted that exit polling may be conducted 25 feet from the Vote Center entrance.</p>
OBSERVING:	<p></p> <p>You are certainly welcome to observe activity at any Vote Center on election day – from the time the Vote Centers open until they are closed and the election officers depart to return the ballots and supplies to the collection center. However, in order not to disrupt the voting process, it is suggested that you and your campaign workers review the following material that is given in training to our election officers. It explains some of the do's and don'ts of observation.</p> <p>Anyone may be a poll watcher, but most often poll watchers are people who are working with one of the political parties or for a campaign. A poll watcher is someone who is observing the procedures at the Vote Centers and/or monitoring who has, or who has not voted. To accomplish this, poll watchers may continually check the posted copy of the Street Index. When not in use, poll watchers are permitted to view the Roster of Voters, and all supplemental lists in the possession of the precinct board.</p> <p>Although the law allows poll watching, there are rules and guidelines that must be followed.</p>

Vote Centers (Continued)

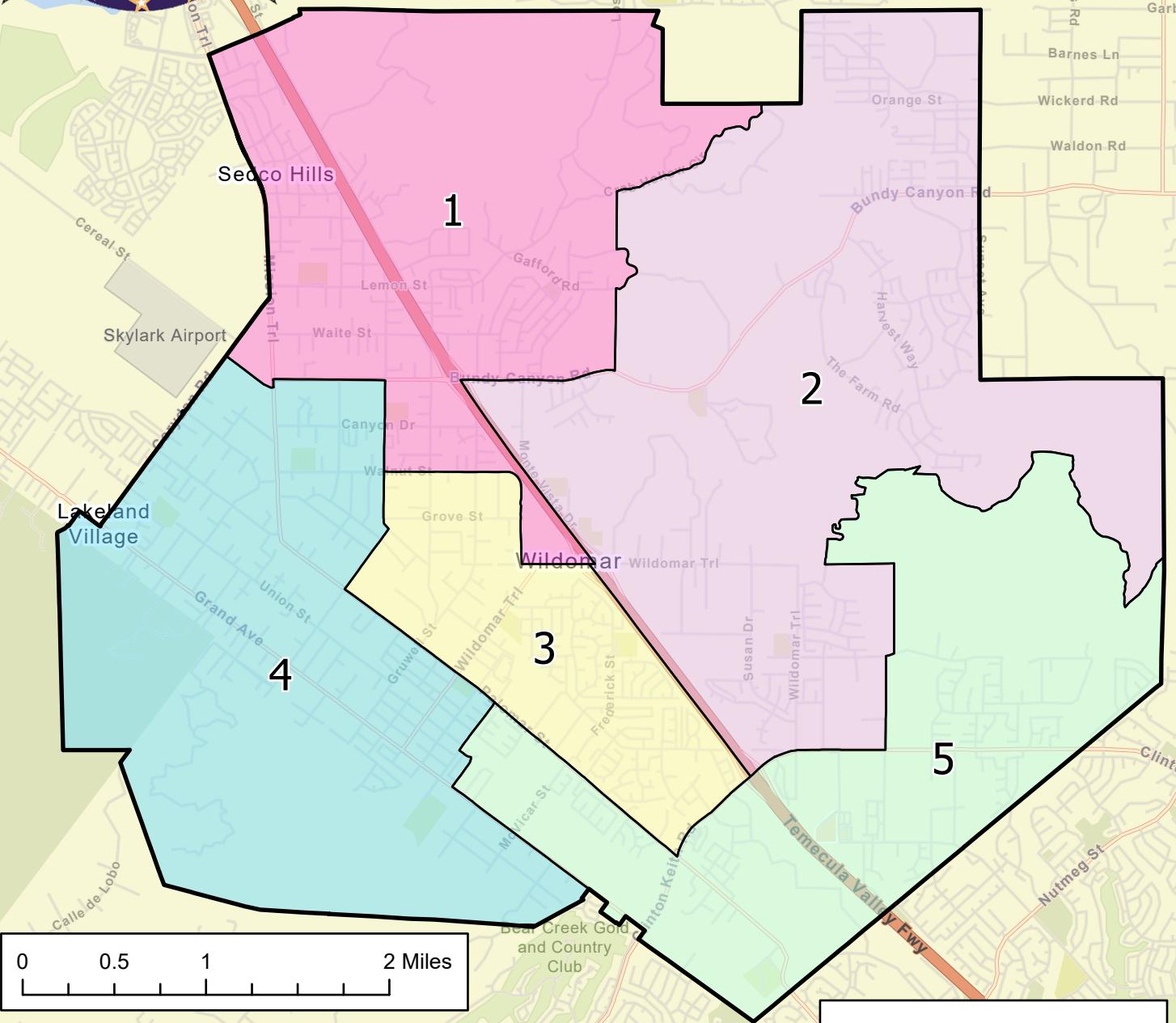
OBSERVING (Cont'd):	RULES FOR POLL WATCHERS/OBSERVERS
	<ul style="list-style-type: none"> ★ Poll watchers are NOT permitted to disturb voters or interfere with the election process in any way. ★ Poll watchers may ask questions, but may NOT interfere with Election Officer duties or disturb voters. ★ Poll watchers may NOT sit at the election table. ★ Poll watchers are NOT permitted behind the voting equipment or in the “voting area”. ★ The Roster of Voters may only be viewed at the election table, and for only as long as the election board does not need it. ★ If a poll watcher wishes to view the Roster of Voters at the close of polls, he or she may do so only for as long as it is not required by Election Officers to facilitate closing procedures.
ELECTION DAY CONCERNS: 	<p>If you see any activity that you believe is improper, or contrary to the Registrar of Voters policies, please contact the Registrar of Voters office immediately so that we may investigate. The sooner we know of a problem, the sooner we can eliminate it. Telling us of a problem the day after the election is helpful, but does not allow us to resolve problems in a timely manner for the benefit of those participating in the present election.</p>

CANVASS

ELECTION NIGHT ACTIVITIES	
ELECTION RESULTS AVAILABLE AFTER 8:00 p.m.	At the Registrar of Voters, 2724 Gateway Drive, Riverside, or by phone (951) 486-7200, (800) 773-VOTE, or website: www.voteinfo.net
ELECTION NIGHT RESULTS INFORMATION	<p>Candidates are invited to visit the Registrar of Voters office on election night. Cumulative election results will be available to candidates via telephone or at the Registrar of Voters Office. In addition, the results will be posted to our website. www.voteinfo.net. The vote-by-mail ballots will be reported first at approximately 8:20 p.m. Telephone operators will remain available to answer questions until all precinct results have been reported.</p> <p>The Vote Centers officially close at 8:00 p.m. Election activity then changes, from what was primarily voter participation at the Vote Centers, to election officers completing necessary procedures and forms, and delivering equipment and supplies to the Registrar of Voters office. Certain receiving procedures take place, and then the ballot cartons are delivered to the Registrar of Voters office where the votes are tallied.</p>
CANVASS	<p>Following Election Day the canvass of the returns will commence at the Registrar of Voters office.</p> <p>During the canvass, a complete audit of all returns will be accomplished, as well as processing and counting of CVR and vote-by-mail ballots voted and/or received on election day. Additionally, if there are any qualified write-in candidates, those votes will be tallied during the canvass. As a result, close races may not be determined until the canvass is completed.</p> <p>The official election results will be certified after the completion of the canvass.</p>
CERTIFICATION OF ELECTION RESULTS	After certification of the election results, winners will be mailed a Certificate of Election with instructions on where and when to file it. Winners of city races will receive certification through the City Clerk's office.



Voting Districts

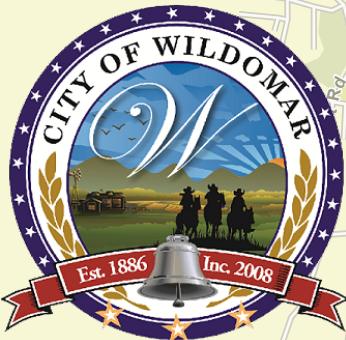


Adopted 03/09/2022

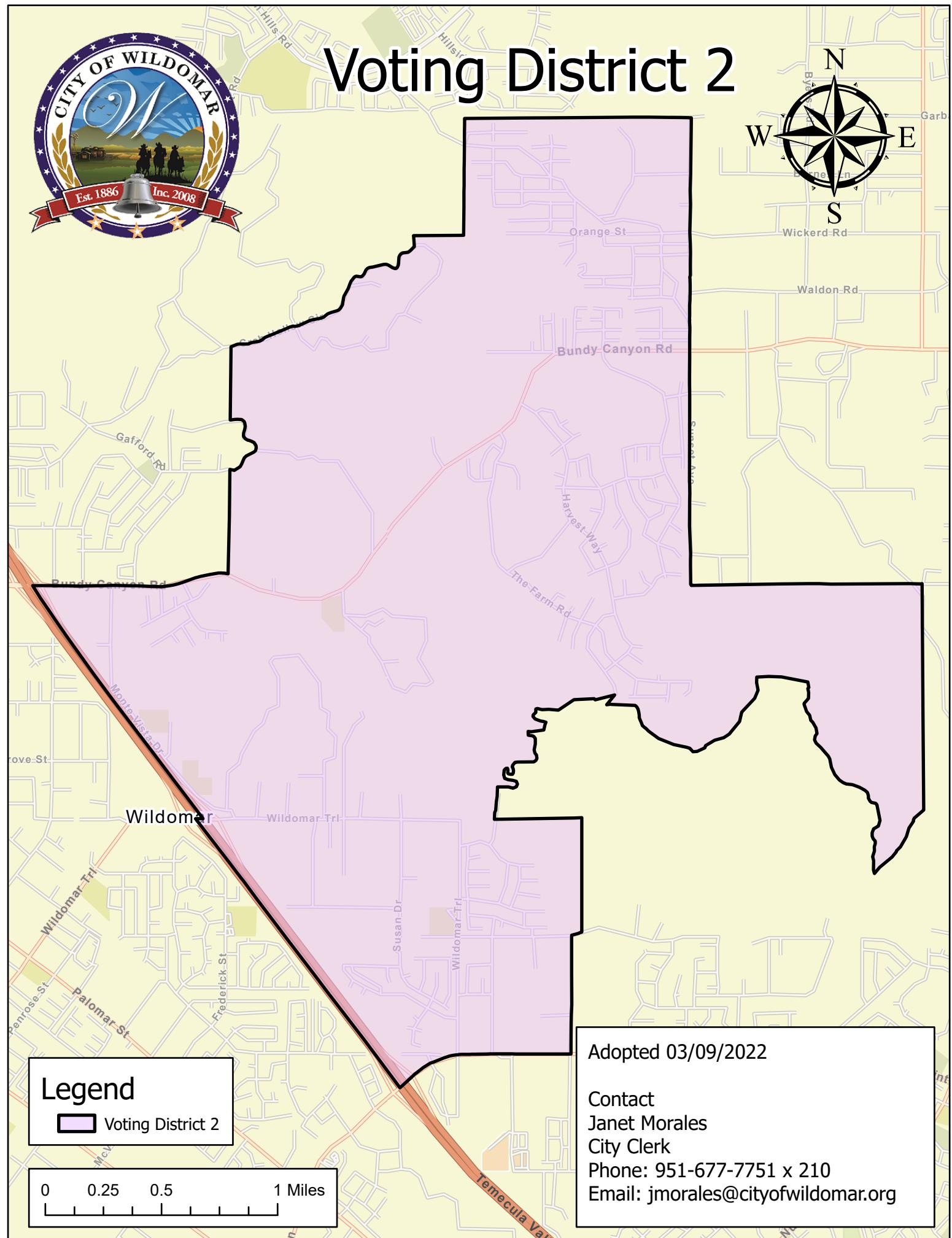
Contact
Janet Morales
City Clerk
Phone: 951-677-7751 x 210
Email: jmorales@cityofwildomar.org

Legend

- Wildomar City Boundary
- Voting District 5
- Voting District 4
- Voting District 3
- Voting District 2
- Voting District 1



Voting District 2



Legend

Voting District 2

0 0.25 0.5 1 Miles

Adopted 03/09/2022

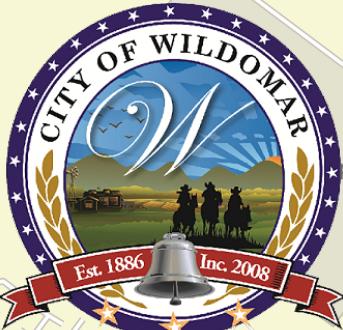
Contact

Janet Morales

City Clerk

Phone: 951-677-7751 x 210

Email: jmorales@cityofwildomar.org



Voting District 4



Adopted 03/09/2022

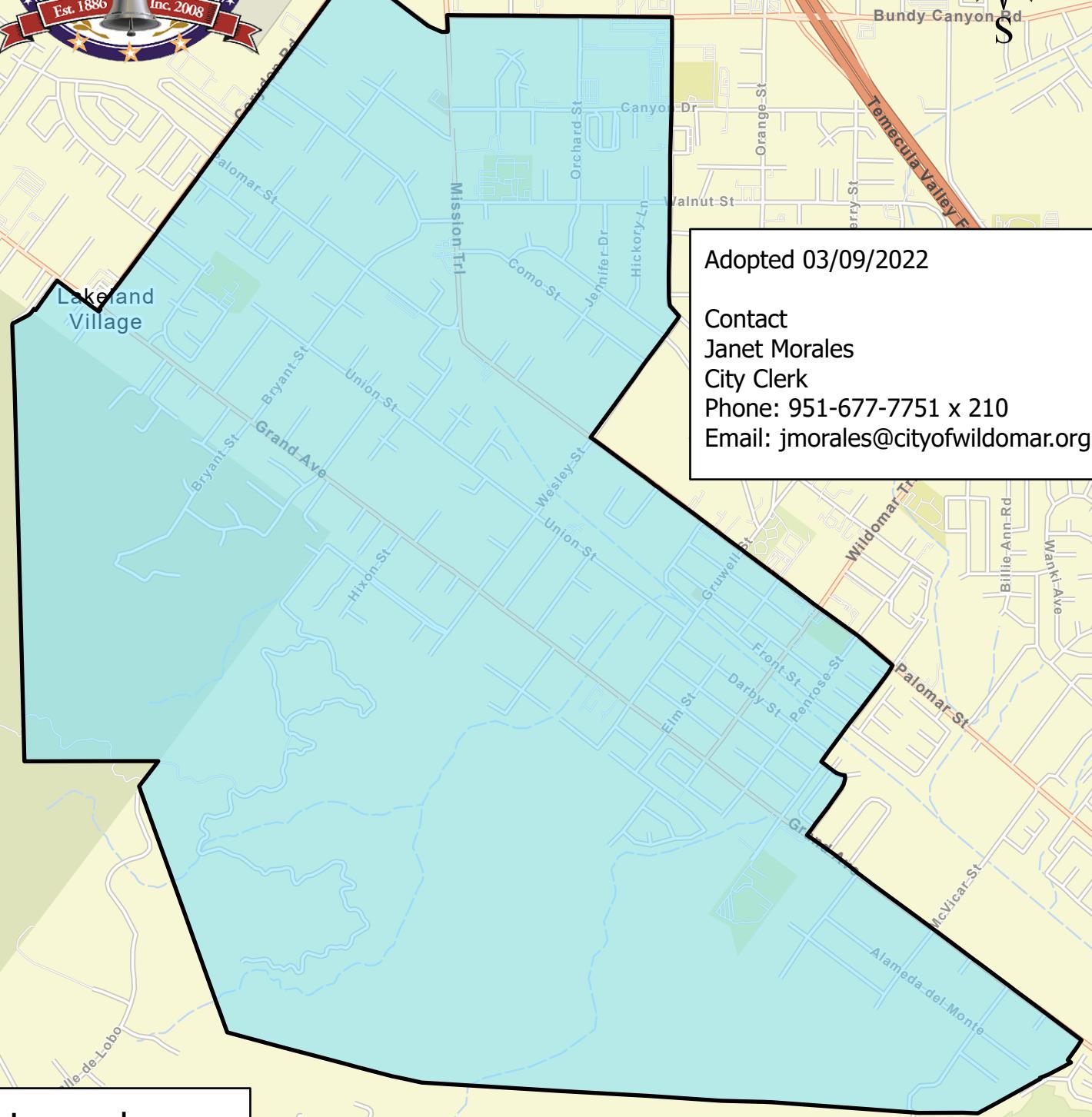
Contact

Janet Morales

City Clerk

Phone: 951-677-7751 x 210

Email: jmorales@cityofwildomar.org



Legend

Voting District 4

0 0.25 0.5 1 Miles

Bear Creek Gold and Country Club
Bear Creek Gold and Country Club

NOTE TO CANDIDATES REGARDING INCOMPATIBLE OFFICES

The Political Reform Act does not prohibit any office holder from holding multiple public offices or seeking more than one elective office. For example, a Deputy District Attorney can hold the office of City Councilmember, or a Water Board Director may also be elected to a park and recreation district. There are, however, instances of holding more than one office that is considered incompatible.

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

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

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

1. The offices of City Councilperson and School District Board Member where the city and the school district have territory in common;
2. Fire Chief of a county fire protection district and Member of the Board of Supervisors of the same county;
3. High School District Trustee and Trustee of an elementary school district that is wholly within the geographic boundaries of the high school district;
4. Water District Director and a City Councilmember;
5. Water District Director and a School District Trustee having territory in common; and
6. Deputy Sheriff and County Supervisor.

If you have a question about whether two public offices which you hold or seek to hold would be considered incompatible, contact the Attorney General’s office at (916) 445-9555 or visit their website, www.oag.ca.gov. For further information about conflict of interest or incompatibility of offices, contact the Fair Political Practices Commission’s website at www.fppc.ca.gov, or phone toll-free (866) 275-3772.

SERVICES TO CANDIDATES

Before requesting the items listed below, an Application to Purchase or View Voter Registration Information must be completed at the Registrar of Voters office. The application is also available on our website. <https://voteinfo.net/>. In addition, the applicant must display proper identification, i.e. driver's license.

NOTE: To better serve candidates, applications are available at most City Clerks' offices.

VOTER INDEXES (E.C. § 2183 et seq., Cal. Admin. Code § 19001 et seq.)

An index (voter list) is available for each precinct, listing all registered voters by street address. Political affiliation and telephone number are also given. Listing a phone number is optional on the registration form; therefore, any phone numbers listed on the index may not be current.

WARNING: Mailing addresses are not given on voter indexes. Candidates who plan to mail campaign literature should see information about MAILING LABELS below.

A candidate may purchase indexes for \$5 for the first thousand names and \$1 for each additional 1,000 names (or portion thereof). Each purchase may be a complete set for the candidate's electoral jurisdiction or a partial set. Indexes may be mailed if payment, including postage or UPS charges, is received in advance, and the applicant has completed the required application.

Indexes may be purchased by the candidate or by someone with the candidate's written authorization. The purchaser must sign an agreement to use the indexes only for election or governmental purposes. A substantial fine may be imposed if registration information is used for other purposes.

For further information, call the Registrar of Voters' office at (951) 486-7201 or (951) 486-7352.

MAILING LABELS

Candidates who plan to mail campaign material may purchase mailing labels from the Registrar of Voters. The labels may be purchased for each registered voter in a district or by the head of household.

FEE SCHEDULE

Candidates may purchase a list of voters by jurisdiction, which contains the voter's regular precinct, name, residence, mailing address, and phone number if provided. Voter lists are available in the following formats:

SERVICES	CHARGES / FEES
Absentee Voter File a) Initial Requests b) Updates Complete Absentee Issue Period	a) \$ 100.00 first day of absentee period b) \$ 600.00 daily updates for entire absentee issue period
Certified Copies a) Registration Affidavit (E.C.§ 2167) b) Any other document (G.C. §§ 26831 – 26836)	a) \$ 1.50 b) \$ 1.75 plus charge for copying
Election Calendar	\$ 2.00
List of Candidates Hard copy or Electronic Transmission	\$ 0.50 for the first page and \$ 0.10 for each page thereafter
Mailing Label Data a) Individual voter or head of household	a) \$ 35.00 per 1,000 names or portion thereof
Master Voter File a) Countywide (CD ROM) b) Per District (CD ROM) c) Street Index of Voters	a) \$ 35.00 b) \$ 35.00 district c) \$ 5.00 for 1 st 1,000 names, plus \$ 1.00 per 1,000 names or portion thereof
Precinct Maps District Maps	\$ 35.00
Recall Pamphlets	\$ 3.00
Research of Source Data (when authorized – staff availability basis)	\$ 35.00 per hour plus copying and postage charges
Signature Verification	\$ 0.50 per signature
Voter Notifications Via postcard (subject to postage rate change)	\$ 0.50 per voter notification
Reproduced Documents (without certification) -Fax / Transmission service requested by the purchaser <u>Exceptions:</u> a) Campaign Disclosure; Statements of Economic Interest (G.C. § 81008) b) Statement of Votes Cast c) Statement of Votes Cast (CD) (PDF or EXCEL)	\$ 0.50 for 1 st page, plus \$ 0.10 for each additional page(s) of same document / item \$ 2.50 plus \$ 0.50 per page a) \$ 0.10 per page b) \$ 30.00 per bound volume, or as quoted c) \$ 100.00
Returned Check Charge	\$ 31.00
Candidate Statement Deposit Printing of candidate statement in the County Voter Information Guide.	Actual vendor printing costs (request calculation schedule)

SERVICES TO CANDIDATES (Continued)

PRECINCT MAPS

Detailed maps showing precinct boundaries may be purchased. Candidates should contact our Precincting Section to order maps for their jurisdiction. Call the Registrar of Voters' office at (951) 486-7338 for further information.

Cost: \$35 per custom map

VOTE-BY-MAIL VOTER LISTS

Vote-by-Mail voter lists are available on CD or E-mail. For further information call the Registrar of Voters' office at (951) 486-7201 or (951) 486-7352.



APPLICATION TO PURCHASE OR VIEW VOTER REGISTRATION INFORMATION

Pursuant to Elections Code §§ 2187, 2188, and § 2194, voter registration information is available to persons or groups for election, scholarly, journalistic, political, or governmental purposes as determined by the Secretary of State. All requests to view, purchase, or use voter registration information must be accompanied by a written application.

NAME OF APPLICANT:			IDENTIFICATION # (Drivers Lic. #, State and Expiration Date)	
FIRST	MIDDLE	LAST	TELEPHONE #	ALTERNATE #
			()	()
RESIDENCE ADDRESS	NUMBER	STREET	E-MAIL ADDRESS	
CITY STATE ZIP				

IF OBTAINING INFORMATION ON BEHALF OF SOMEONE ELSE (SUBJECT TO VERIFICATION):

COMPLETE NAME OF PERSON, GROUP, OR COMMITTEE REQUESTING INFORMATION			TELEPHONE #	ALTERNATE #
			()	()
COMPLETE BUSINESS ADDRESS: NUMBER STREET			E-MAIL ADDRESS	
CITY STATE ZIP				

IF GROUP OR COMMITTEE, NAME OF PERSON AUTHORIZING REQUEST:

INFORMATION REQUESTED/PURPOSE

Please select purpose for your request: Election Scholarly Journalistic Political purposes Governmental purposes

Please check item requesting.

Voter Data

Absentee Chase

Please select below area of request.

Countywide

Jurisdiction: _____

NAME OF VOTER(S) / DISTRICTS / PRECINCTS: (DESCRIBE IN DETAIL DATA REQUESTED. ATTACH SEPARATE SHEET IF NECESSARY)

SPECIFIC REASON FOR THE REQUESTED VOTER REGISTRATION INFORMATION:

The aforementioned voter registration information is set forth in Affidavits of Registration or derived from Computer Terminals, Electronic Data Processing Tapes or Disks, Printed Listings will be used only for election, scholarly, journalistic or political purposes or governmental purposes as determined by the Secretary of State and in accordance with E.C. §§ 2187, 2188, and § 2194. The information (or a portion or copy thereof) will not be sold, leased, loaned or given to any person, organization or agency, without first receiving written authorization to do so from the County Elections Official. I certify under Penalty of Perjury that the information on this form is true and correct under the laws of the State of California.

DATED: _____ EXECUTED AT : _____

SIGNATURE: _____

NOTE: A new application must be submitted for each request.

OFFICE USE ONLY

I.D. checked by: _____

MATERIAL PROVIDED: _____

OFFICE USE ONLY

Special Instructions: _____