

ORANGE COUNTY

A stylized graphic of the American flag, featuring a blue field with a white star on the left, a yellow field in the center, and red and white stripes on the right. The graphic is layered behind the title text.

CANDIDATE'S HANDBOOK FOR THE PRESIDENTIAL PRIMARY ELECTION JUNE 5, 2012



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THE 2012 CANDIDATE'S HANDBOOK FOR THE PRESIDENTIAL PRIMARY ELECTION IS INTENDED TO PROVIDE GENERAL INFORMATION FOR CANDIDATES AND COMMITTEES, AND DOES NOT HAVE THE FORCE AND EFFECT OF LAW, REGULATION OR RULE. IT IS DISTRIBUTED WITH THE UNDERSTANDING THAT THE REGISTRAR OF VOTERS OF THE COUNTY OF ORANGE IS NOT RENDERING LEGAL ADVICE. THEREFORE, THE HANDBOOK IS NOT A SUBSTITUTE FOR LEGAL COUNSEL FOR THE INDIVIDUAL, ORGANIZATION OR CANDIDATE USING IT.

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

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IMPORTANT CHANGES

Since Candidate Filing was held in June of 2010, three significant changes have occurred, impacting the Candidate Filing process:

1. Online Candidate Filing;
2. Proposition 14, the Top Two Candidates Open Primary Act, passed by the voters in June of 2010; and
3. The redistricting of congressional, state legislative, and supervisorial districts.

We urge you to read the following information provided on each of these changes before starting the Candidate Filing process.



Watch for this icon throughout the handbook. This indicates a change or something new due to the passage of Proposition 14 or redistricting.

ONLINE CANDIDATE FILING:

A new custom online Candidate Filing feature on the Registrar of Voters' website will be available on February 14, 2012 at ocvote.com. This portal will allow candidates to start the Candidate Filing process, download many of the required documents, and return some of the documents to the Registrar of Voters' office.

This new service will benefit you, the candidate. **Candidate Filing cannot be totally completed online due to State law**, but it should make your filing process simpler and easier to understand. Benefits to the candidate include:

- The Filing Fee and Candidate's Statement of Qualifications Deposit may be paid online by credit card.
- Nomination Papers may be downloaded and circulated prior to the candidates filing the documents at the Registrar of Voters' office.
- Draft Candidates' Statements of Qualifications may be electronically submitted, allowing Registrar of Voters' staff to format the statements prior to the candidates coming to the office to sign the final documents. Formatting statements is time consuming; by submitting their statements online, candidates will reduce their time spent at the Registrar of Voters' office.

REDISTRICTING:

Redistricting is the process of adjusting the lines of voting districts in accordance with population shifts. This means redrawing congressional, state legislative, supervisorial, and county board of education district lines every ten years following the decennial census.

The Presidential Primary Election contests will use these new district lines. You may review new district maps at ocvote.com to determine if you reside in a particular district, if applicable.



IMPORTANT CHANGES
(continued)

PROPOSITION 14:
The Top Two Candidates Open Primary Act
Passed by the Voters in June of 2010

This proposition provides for a “voter-nominated Primary Election” for each state elective office and congressional office in California. A voter may vote at the Primary Election for any candidate for congressional or state elective office without regard to the political party preference (formerly known as “party affiliation”) disclosed by either the candidate or the voter.

The top two candidates receiving the two highest vote totals for each office at a Primary Election, regardless of party preference, would then compete for the office at the ensuing General Election.

Party-Nominated/Partisan Offices:

For the June 5, 2012 Presidential Primary Election, party-nominated offices are: President of the United States and Members of Party Central Committees. (See chart on page 6)

Under the California Constitution, political parties may formally nominate candidates for party-nominated/partisan offices at the Primary Election. Candidates so nominated for President of the United States will then represent that party as its official candidate for the office at the ensuing General Election and the ballot will reflect an official designation to that effect. The top vote-getter for each party at the Primary Election is entitled to participate in the General Election.

Parties also elect members of official party committees at the Primary Election. These candidates are elected at the Primary Election and will not appear on the General Election ballot.

Proposition 14 does not change how candidates for party-nominated/partisan offices are nominated/elected.

No voter may vote the ballot of any political party at any Primary Election unless he or she has disclosed a preference for that party upon registering to vote.

EXCEPTION: If a person has declined to disclose a party preference and the political party, by party rule, duly notified the Secretary of State that it authorizes a person who has declined to disclose a party preference to vote the ballot of that political party for the offices of President of the United States, then that voter may do so.



IMPORTANT CHANGES (continued)

Voter-Nominated Offices:

For the June 5, 2012 Presidential Primary Election, voter-nominated offices are: Member of United States Senate, Representative in Congress, Member of the State Senate, and Member of the State Assembly. (See chart on page 6)

Under the California Constitution, political parties are not entitled to formally nominate candidates for voter-nominated offices at the Primary Election, and a candidate nominated for a voter-nominated office at the Primary Election is not the official nominee of any party for the office in question at the ensuing General Election.

All voters, regardless of the party preference listed on their registration affidavit or their refusal to disclose a party preference, may vote for any candidate for a voter-nominated office, provided they meet the other qualifications required to vote for that office.

The top two vote-getters at the Primary Election advance to the General Election for the voter-nominated office, and both candidates may have specified the same party preference designation. No party is entitled to have a candidate with its party preference designation participate in the General Election unless such candidate is one of the two highest vote-getters at the Primary Election.

A candidate for nomination or election to a voter-nominated office may, however, designate his or her party preference, or lack of party preference, and have that designation reflected on the Primary and General Elections' ballots, **but the party designation so indicated is selected solely by the candidate and is shown for the information of the voter only.** It does not constitute or imply an endorsement of the candidate by the party designated, and no candidate nominated by the qualified voters for any voter-nominated office shall be deemed to be the officially nominated candidate of any political party. The parties may have a list of candidates for voter-nominated offices, who have received the official endorsement of the party, printed in the Sample Ballot Pamphlet.

Nonpartisan Offices:

For the June 5, 2012 Presidential Primary Election, nonpartisan offices are: Members of the Orange County Board of Supervisors, Trustees of the Orange County Board of Education, and Judges of the Superior Court. (See chart page 6)

Under the California Constitution, political parties are not entitled to nominate candidates for nonpartisan offices at the Primary Election, and a candidate nominated for a nonpartisan office at the Primary Election is not the official nominee of any party for the office in question at the ensuing General Election.

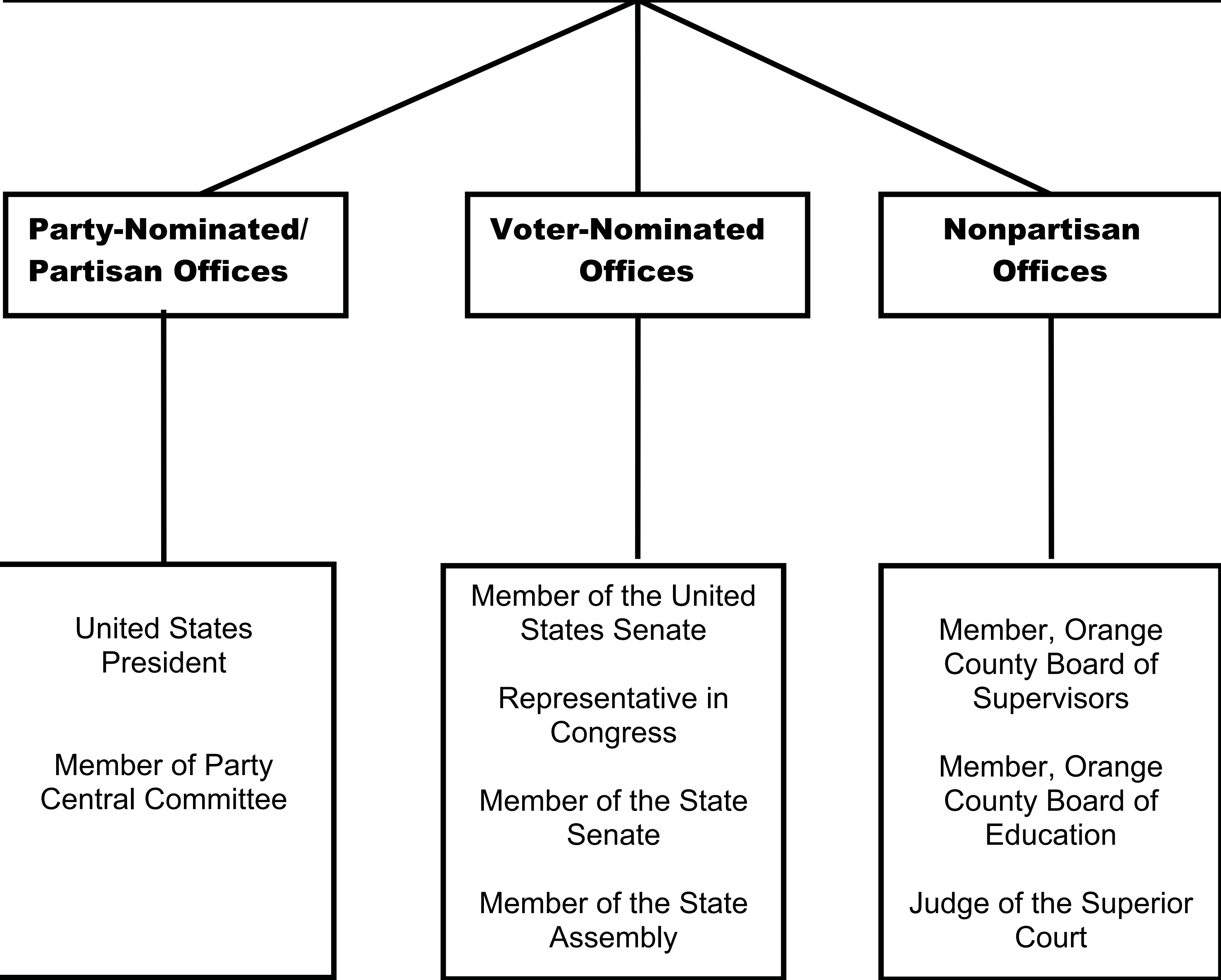
A candidate for nomination or election to a nonpartisan office may NOT designate his or her party preference, or lack of party preference, on the Primary and the General Elections' ballots. If the nonpartisan contest goes to a run-off in the General Election, the top two vote-getters at the Primary Election advance to the General Election.

Proposition 14 does not change how candidates for nonpartisan offices are nominated/elected.



IMPORTANT CHANGES
(Continued)

JUNE 5, 2012 PRESIDENTIAL PRIMARY ELECTION
CONTESTS ON BALLOT





IMPORTANT CHANGES
(Continued)

JUNE 5, 2012 PRESIDENTIAL PRIMARY ELECTION

WHO CAN CAST A VOTE FOR THE CONTESTS?

**Party-Nominated/
Partisan Offices**

1. Only voters who disclosed a preference for the same party as the candidate seeking the nomination of the party.

2. In a Presidential Primary Election, it is possible that a “No Party Preference” voter will be allowed to vote the ballot of a political party. However, to do so, the political party must provide a written notice to the Secretary of State.

**Voter-Nominated
Offices**

All voters, regardless of the party preference they disclosed upon registration, or refusal to disclose a party preference, may vote for any candidate.

**Nonpartisan
Offices**

All voters, regardless of the party preference, may vote for any candidate for a nonpartisan office.



IMPORTANT CHANGES (Continued)

FREQUENTLY ASKED QUESTIONS AND ANSWERS

How does Proposition 14 affect the June 5, 2012 Presidential Primary Election?

- Proposition 14 provides for a “voter-nominated Primary Election” for each state elective office and congressional office in California, in which a voter may vote for any candidate for these offices without regard to the political party preference (formerly known as “party affiliation”) disclosed by either the candidate or the voter.
- The top two candidates receiving the two highest vote totals for each “voter-nominated” office at a Primary Election, regardless of party preference, would then compete for the office at the ensuing General Election.

Can more than one candidate for a “voter-nominated” office with the same party preference participate in the General Election?

- Yes, the top two candidates receiving the two highest vote totals for each “voter-nominated” office will then compete for office at the ensuing General Election, regardless of party.

Has Proposition 14 created an “Open Primary Election”?

- No, Proposition 14 **only** allows a voter to vote for any candidate for voter-nominated offices without regard to the political party preference.

What are the “voter-nominated” offices for the June 5, 2012 Presidential Primary Election?

- “Voter-nominated” offices for the June 5, 2012 Presidential Primary Election are:

Member of the United States Senate
Representative in Congress
Member of the State Senate
Member of the State Assembly

Is a candidate whose name will appear on the General Election ballot considered the official nominee of any political party for that “voter-nominated” office?

- No, a candidate for a “voter-nominated” office shall not be deemed to be the official nominee of any political party for that office.
- A candidate for a “voter-nominated” office may have his/her party preference listed on the ballot. However, this is shown for the information of the voter only.
- In addition, no party is entitled to have a candidate with its party preference designation participate in a General Election unless such candidate is one of the



IMPORTANT CHANGES (Continued)

two candidates receiving the highest or second-highest number of votes cast at the Primary Election.

Can the voter obtain information on the party preferences of candidates for “voter-nominated” offices?

- A candidate for “voter-nominated” office may choose whether to have his or her political party preference, or lack of party preference, indicated upon the ballot for that office. He or she is not mandated to do so.
- A candidate for “voter-nominated” office **must** provide his/her party preference history for the preceding 10 years when he/she files his/her Declaration of Candidacy. Voters may obtain this party preference history on the Secretary of State’s and Registrar of Voters’ websites.

Can No Party Preference voters (formerly known as Decline-to-State voters) cast a vote for “voter-nominated” contests in the Presidential Primary Election?

- Yes, No Party Preference voters may cast votes for “voter-nominated” candidates, regardless of the candidates’ party preferences. “Voter-nominated” contests will be included on nonpartisan ballots, in addition to nonpartisan contests.

Can No Party Preference voters cast a vote for “party-nominated/partisan” contests in the Presidential Primary Election?

- It might be possible in a Presidential Primary Election. To be able to do so, a political party must agree to allow a voter who has **declined to disclose a party preference** to vote the ballot of that political party at the Presidential Primary Election. The political party must provide a written notice to the Secretary of State for this to happen.


Will a voter be allowed to cast a vote for a qualified “write-in” candidate for a “voter-nominated contest”?

- A voter **may vote** for a qualified write-in candidate for a “voter-nominated” contest in the **Presidential Primary Election**.
- A voter **may not** write-in a person’s name for a voter-nominated office at the **General Election**.

PRESIDENTIAL PRIMARY ELECTION CALENDAR

JUNE 5, 2012

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

Proposition 14, the Top Two Candidate Open Primary Act passed by the voters in June 2010, provides for a "voter-nominated primary election" for state elective and congressional offices without regard to political party preference disclosed by either the candidate or the voter. The two candidates receiving the two highest vote totals for each office, regardless of party preference, would then compete at the ensuing General Election. **This year, there are several changes to this calendar due to Proposition 14's enactment. Look for the changes indicated by this icon:  There may be additional changes. Watch for updates.**

**December 30, 2011
through
February 8, 2012
(E-158 – 118)**

SIGNATURES IN LIEU OF FILING FEE PETITIONS (JUDICIAL OFFICES OF THE SUPERIOR COURT

ONLY): Dates between which all candidates for judicial offices of the Superior Court may obtain from the Registrar of Voters' office petitions for securing Signatures-In-Lieu of paying for all of, or any part of, the Filing Fee for an office. **§§ 8061, 8105(b), 8106**

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

The Registrar of Voters' office will issue petitions for obtaining the minimum number of Signatures-In-Lieu of paying the Filing Fee. If the candidate requires an additional quantity of petitions, the candidate may duplicate a blank petition to obtain the desired quantity. **§ 8106**

Signatures on Petitions In-Lieu of Filing Fee may be applied to and combined with the valid number of signatures on Nomination Papers to satisfy the signature requirement for the office. **§ 8061**

The last day to file Signatures-In-Lieu of Filing Fee Petitions for candidates for judicial office of the Superior Court is **February 8, 2012, 5:00 p.m.** **§§ 8105(b), 8106**

**December 30, 2011
through
February 23, 2012
(E-158 – 103)**


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

Dates between which all candidates for offices, other than judicial offices of the Superior Court, may obtain from the Registrar of Voters' office petitions for securing Signatures-In-Lieu of paying for all of, or any part of, the Filing Fee for an office.

§§ 8061, 8105, 8106

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

For **party-nominated/partisan offices**, signers shall be registered voters who disclosed on their registration affidavits a preference for the party in which the nomination is proposed. § 8068

 For voter-nominated offices, signers shall be registered voters in the district in which the candidate is to be voted on. **Signers do not need to be affiliated with the same party as the candidate or have disclosed a preference for any party on their registration affidavits. For the June 5, 2012 Presidential Primary Election, voter-nominated offices are Member of the United States Senate, Representative in Congress, Member of the State Senate, and Member of the State Assembly.** § 8068

The Registrar of Voters' office will issue petitions for obtaining the minimum number of Signatures-In-Lieu of paying the Filing Fee. If the candidate requires an additional quantity of petitions, the candidate may duplicate a blank petition to obtain the desired quantity. § 8106

Signatures on Petitions In-Lieu of Filing Fee may be applied to and combined with the valid number of signatures on Nomination Papers to satisfy the signature requirement for the office. § 8061

The last day to file Signatures In-Lieu of Filing Fee Petitions for all candidates for offices, other than judicial offices of the Superior Court, who must pay a Filing Fee is **February 23, 2012, 5:00 p.m.** §§ 8105, 8106

ANNOUNCEMENT OF SELECTED PRESIDENTIAL CANDIDATES – REPUBLICAN, AMERICAN INDEPENDENT, GREEN, LIBERTARIAN AND PEACE

AND FREEDOM PARTIES: Between **January 7, 2012**** (E-150) and **February 6, 2012** (E-120), the Secretary of State announces the names of the candidates of the Republican, American Independent, Green, Libertarian, and Peace and Freedom parties she has selected to appear on the June 5, 2012 Presidential Primary Election ballot for the office of President. §§ 6340-6342, 6520-6522, 6720-6724

January 7, 2012
through
February 6, 2012
(E-150 – 120)**

****Pursuant to the Secretary of State's Election Calendar, if the date falls on a Saturday, Sunday, or a holiday, and is also a deadline, in most cases, it will move forward to the next business day.**

January 7, 2012
through
March 29, 2012
(E-150 – 68)**

**January 30, 2012
through
February 8, 2012
(E-127 – 118)**

**January 31, 2012
(Date fixed by law)
(E-126)**

**February 9, 2012
through
February 13, 2012*
(E-117 – 113)**

**January 9, 2012
(E-148)**

ANNOUNCEMENT OF SELECTED PRESIDENTIAL

CANDIDATES – DEMOCRATIC PARTY: Between January 7, 2012** (E-150) and March 29, 2012 (E-68), the Secretary of State announces the names of the candidates of the Democratic Party she has selected to appear on the June 5, 2012 Presidential Primary Election ballot. § 6041-6043

DECLARATION OF INTENTION (JUDICIAL OFFICES OF

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

EXCEPTION: If an incumbent fails to file a Declaration of Intention by **February 8, 2012, 5:00 p.m.**, persons other than the incumbent have until **February 13, 2012*, 5:00 p.m.** to file a Declaration of Intention. §§ 8022, 8023(b)

The Filing Fee, or Signatures-In-Lieu of Filing Fee Petition, all or part, must be submitted at the time the Declaration of Intention is filed. **The Filing Fee is non-refundable.** This applies to all candidates who are required to file a Declaration of Intention. § 8105(b)

SEMI-ANNUAL CAMPAIGN DISCLOSURE

STATEMENTS DUE: Last day to file semi-annual campaign disclosure statements for all candidates and slate mailer organizations for the period ending **December 31, 2011.** Gov't §§ 84200, 84218

EXTENDED FILING PERIOD FOR DECLARATION OF INTENTION (JUDICIAL OFFICES OF THE SUPERIOR

COURT ONLY): Extension of period for persons other than the incumbent where the incumbent fails to file a Declaration of Intention by **February 8, 2012, 5:00 p.m.** §§ 8022, 8023(b)

GOVERNOR'S PROCLAMATION – ISSUANCE:

By this date, the Governor shall issue a proclamation calling the Presidential Primary Election and shall state the time of the election and the offices to be filled and transmit a copy of the proclamation to the Board of Supervisors of each county. The Secretary of State will send an informational copy of the proclamation to each county elected official. § 12000

***If date falls on a Sunday or holiday, use next business day.**

**** Pursuant to the Secretary of State's Election Calendar, if the date falls on a Saturday, Sunday, or a holiday, and is also a deadline, in most cases, it will move forward to the next business day.**

January 22, 2012*
(E-135)

February 6, 2012
through
March 7, 2012
(E-120 – 90)

February 13, 2012*
through
March 9, 2012
(E-113 – 88)

NO PARTY PREFERENCE VOTER PARTICIPATION

NOTICE: Last day for a political party to notify the Secretary of State that it has adopted a rule that authorizes a person who has no party preference to vote the ballot of that political party at the June 5, 2012 Presidential Primary Election. **§ 13102(c)**

NOTICE OF ELECTION: The Registrar of Voters must publish once in a newspaper of general circulation the Notice of Election. The notice shall contain the date of the election; the offices for which candidates may file; the qualifications for each office; when and where nomination papers may be obtained; and that appointment to each elective office will be made as prescribed by Elections Code Section 10515 in the event there are no nominees or an insufficient number of nominees for such office and a petition for an election is not filed within the time period prescribed by Elections Code Section 10515. **§ 12112(a)**

Between these dates, the Registrar of Voters shall issue a general press release which shall set forth the district elective offices to be filled and a telephone number that voters may use to obtain information. **§ 12112(b)**

DECLARATION OF CANDIDACY AND NOMINATION PAPERS -- CANDIDATE FILING (ALL OFFICES, INCLUDING JUDICIAL OFFICES OF THE SUPERIOR

COURT): Nomination Papers and Declaration of Candidacy forms for all offices may be obtained from and must be delivered for filing to the Registrar of Voters' office from **February 13, 2012* through March 9, 2012, 5:00 p.m.** No person shall be considered a legally qualified candidate for any office unless that person has filed a Declaration of Candidacy or Statement of Write-in Candidacy with the elections official.

§§ 8020, 8041, 8061, 8100, 8105, 8106, 10407

EXCEPTION: If an incumbent, (see below regarding Judges of the Superior Court), fails to file Nomination Papers and a Declaration of Candidacy by **March 9, 2012**, the filing period is extended through **March 14, 2012** for all qualified persons other than the incumbent. However if the incumbent's failure to file nomination documents is because he/she has already served the maximum number of terms permitted by the California Constitution for that office, there shall be no extension of the period for filing the nomination documents. **§§ 8022, 8024**

***If date falls on a Sunday or holiday, use next business day.**

If an incumbent Judge of the Superior Court files a Declaration of Intention, but fails to qualify for the nomination by **March 9, 2012**, there is a 5-day extension allowed for all qualified persons other than the incumbent to file for such office, notwithstanding that he/she has not filed a written and signed Declaration of Intention to become a candidate for the office. **§ 8204**

Signers shall be registered voters in the district in which the candidate is to be voted on. For **party-nominated/partisan offices (President of the United States and Member of County Central Committee)**, signers shall be registered voters who disclosed a preference on their registration affidavits for the party in which the nomination is proposed. **§ 8068**



For voter-nominated offices, signers shall be registered voters in the district in which the candidate is to be voted on. **Signers do not need to be affiliated with the same party as the candidate or have disclosed a preference for any party on their registration affidavits. For the June 5, 2012 Presidential Primary Election, voter-nominated offices are Member of the United States Senate, Representative in Congress, Member of the State Senate, and Member of the State Assembly. § 8068**



For voter-nominated offices, a candidate may indicate his or her party preference, or lack of party preference, as disclosed upon the candidate's most recent registration affidavit, upon his or her Declaration of Candidacy. If a candidate indicates his/her party preference on his/her Declaration of Candidacy, it shall appear on the Primary and General Elections' ballots in conjunction with his/her name. The candidate's designated party preference on the ballot shall not be changed between the Primary and General Elections. A candidate for voter-nominated office may also choose not to have the party preference disclosed upon his/her most recent affidavit of registration indicated upon the ballot. **§§ 8002.5, 13105**



A candidate designating a party preference for a voter-nominated office shall not be deemed to be the official nominee of the party designated as preferred by the candidate. The party preference is shown for the information of the voters only. **§ 8002.5**

For party-nominated/partisan offices (President and Member of County Central Committee), Registrar of Voters' staff will verify on the candidate's Declaration of Candidacy his/her party preference as disclosed upon his/her most recent registration affidavit. His/her name and Ballot Designation, if applicable, will be listed on that party's ballot. **§§ 8068, 8081**

February 13, 2012*
through
March 9, 2012
(E-113 – 88)

February 13, 2012*
through
March 9, 2012
(E-113 – 88)

February 13, 2012*
through
March 9, 2012
(E-113 – 88)

February 13, 2012*
through
March 9, 2012
(E-113 – 88)



CANDIDATE PARTY PREFERENCE HISTORY:

Under the Top Two Candidate Open Primary Act (Proposition 14) which was approved by California voters in June of 2010, the Secretary of State is required to provide the political party preference history for the preceding 10 years for candidates for voter-nominated offices. A candidate is responsible for providing his/her party preference history on his/her Declaration of Candidacy filed by **March 9, 2012.** **§ 8121(b)**

FILING FEES: Filing Fees must be paid at the time the Nomination Papers are obtained from the Registrar of Voters. This fee is nonrefundable. **(Candidates for judicial offices of the Superior Court pay the Filing Fee at the time of filing the Declaration of Intention to become a candidate.)** Signatures appearing on a filed Petition In-Lieu of Filing Fee can be counted toward the number of signatures required for the candidate's Nomination Papers. If the candidate's Signatures-In-Lieu of Filing Fee Petition contains the requisite number of valid signatures required for his/her Nomination Papers, the Registrar of Voters shall not require the candidate to circulate a Nomination Papers to be signed by qualified registered voters. **§§ 8061, 8105, 8106**

Candidates who submit Signatures-In-Lieu of Filing Fee Petitions that do not contain the requisite number of signatures for the Nomination Papers are still entitled to file Nomination Papers during the nomination period provided the Filing Fee has been paid. **§§ 8061, 8106**

STATEMENT OF ECONOMIC INTERESTS: Every candidate for an office specified in Government Code section 87200, other than a Justice of an Appellate or the Supreme Court, shall file no later than the final filing date for a Declaration of Candidacy, a statement disclosing his/her investments and his/her interests in real property and any income received during the immediately preceding 12 months. Such statement is not required if the candidate has filed, within 60 days prior to the filing of his/her Declaration of Candidacy, a statement for the same jurisdiction. **Gov't §§ 87200, 87201, 87500**

CANDIDATES' STATEMENTS OF QUALIFICATIONS FOR NONPARTISAN OFFICES: Each candidate for a nonpartisan office may prepare a statement on a form provided by the Registrar of Voters' office. The statement may contain no more than 200 words, unless the governing body of the local agency has authorized the statement to contain 400 words. The statement

February 13, 2012*
through
March 9, 2012
(E-113 – 88)

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

If the nomination period is extended because an incumbent eligible for reelection failed to file a Declaration of Candidacy, a candidate filing during the extended filing period may file a Candidate's Statement. The next working day after the close of the extended filing period for the office is the last day that a Candidate's Statement may be withdrawn. **A Candidate's Statement may not be changed.** § 13307

The Registrar of Voters' office will estimate the total cost of printing and handling the Candidate's Statement and will require each candidate filing a statement to pay in advance his/her estimated pro rata share as a condition of having his/her statement included in the voter's pamphlet. This amount must be paid at the time the Candidate's Statement is filed. If there is an underpayment, the candidate shall be required to pay the balance of the cost incurred. Overpayments will be refunded within 30 days of the election. § 13307

The Candidate's Statement is confidential until after the expiration of the filing period. Copies of all Candidates' Statements will be available for public inspection at the Registrar of Voters' office and on its website for 10 calendar days prior to being submitted for printing. §§ 13311, 13313

CANDIDATES' STATEMENTS OF QUALIFICATIONS

FOR CONGRESSIONAL OFFICES: All candidates for Congressional offices may prepare a Candidate's Statement, not to exceed 250 words. The statement must be filed no later than 5:00 p.m. on the 88th day prior to the election, or in the event the nomination period has been extended, until 5:00 p.m. on the 83rd day prior to the election, whichever is applicable. All statements may be submitted on the form provided by the county elections official of each county in which the candidate wishes to have his/her statement printed. Costs of providing statements to voters shall be paid by the candidates. **Congressional candidates do not need to voluntarily agree to expenditure limits to prepare a Candidate's Statement.** § 13307.5

***If date falls on a Sunday or holiday, use next business day.**

February 13, 2012*
through
March 9, 2012
(E-113 – 88)

February 13, 2012*
through
March 9, 2012
(E-113 – 88)

February 15, 2012
(E-111)
(Date designated
by Secretary of
State)

February 23, 2012
(E-103)

CANDIDATES' STATEMENTS OF QUALIFICATIONS

FOR LEGISLATIVE OFFICES: Pursuant to Proposition 34 adopted by the voters in November of 2000, all candidates for State elective offices as specified in Government Code section 82053 who have voluntarily agreed to expenditure limits may prepare a Candidate's Statement. **Gov't § 85601**

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

CANDIDATES' STATEMENTS OF QUALIFICATIONS
MAY MAKE NO REFERENCE TO ANOTHER

CANDIDATE: In addition to the restrictions set forth in Section 13307, a Candidate's Statement for any office submitted pursuant to Section 13307 shall be limited to a recitation of the candidate's own personal background and qualifications, and **shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities.** The elections official shall not cause to be printed or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited by this section. **§ 13308**

CANDIDATES' STATEMENTS IN THE STATE VOTER

INFORMATION GUIDE DEADLINE: Last day United States Senate candidates may purchase space for a 250-word Candidate's Statement in the official state Voter Information Guide. **§ 9084(i)**

LAST DAY TO FILE SIGNATURES IN-LIEU OF FILING
FEE PETITIONS (NOT JUDICIAL OFFICES OF THE

SUPERIOR COURT): The last day for filing Signatures-In-Lieu of Filing Fee Petitions for candidates, other than those seeking nomination for judicial offices of the Superior Court, is **February 23, 2012, 5:00 p.m.** **§§ 8105, 8106**

***If date falls on a Sunday or holiday, use next business day.**

**March 9, 2012
(E-88)**

**March 9, 2012
(E-88)**

**March 9, 2012
(E-88)**

**March 10, 2012
through
March 14, 2012
(E-87 – 83)**

LAST DAY TO REQUEST CONSOLIDATION OF

ELECTION WITH PRIMARY ELECTION: Resolution requesting consolidation with Presidential Primary Election must be filed no later than this date. **§ 10403**

DEADLINE FOR FILING SUPPLEMENTAL SIGNATURES

IN LIEU OF FILING FEE PETITIONS: Last day to file with the Registrar of Voters' office supplemental signatures or pay a pro rata portion of the Filing Fee to cover any deficiency. **§ 8106(b)(3)**

DEADLINE – CIRCULATION OF NOMINATION

DOCUMENTS: Last day to circulate and to file nomination documents and a Candidate's Statement of Qualifications with the Registrar of Voters' office. **§§ 8020, 13307**

EXTENSION OF NOMINATION PERIOD IF INCUMBENT

FAILS TO FILE: If an incumbent for voter-nominated offices – Member of the United States Senate, Representative in Congress, Member of the State Senate, and Member of the State Assembly – who is eligible for re-election fails to file his/her nomination documents by **March 9, 2012**, there is a 5-day extension allowed for any qualified person other than the incumbent to file for such office. However, **no 5-day extension occurs if the incumbent's failure to file is because he/she has already served the maximum number of terms permitted by the California Constitution for that office.** **§ 8022**

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

If an incumbent Judge of the Superior Court files a Declaration of Intention, but fails to qualify for the nomination by **March 9, 2012**, there is a 5-day extension allowed for all qualified persons other than the incumbent to file for such office, notwithstanding that he/she has not filed a written and signed Declaration of Intention to become a candidate for the office. **§ 8204**

NOTE: There is no extension of the filing period for any office where there is no incumbent eligible to be elected. **§§ 10516, 10604**

**March 10, 2012
through
March 19, 2012
(E-87 – 78)**

**March 10, 2012
through
March 23, 2012
(E-87 – 74)**

**March 10, 2012
through
March 29, 2012
(E-87 – 68)**

**March 10, 2012
through
March 19, 2012
(E-87 – 78)**

PETITION INDICATING WRITE-IN CAMPAIGN WILL BE CONDUCTED FOR A JUDICIAL OFFICE OF THE SUPERIOR COURT:

In any county in which only the incumbent has filed Nomination Papers for the office of Superior Court Judge, his/her name will not appear on the ballot unless there is filed with the Registrar of Voters' office, within 10 days (**March 10 through March 19, 2012, 5:00 p.m.**) after the final date for filing Nomination Papers for the office, a petition indicating that a write-in campaign will be conducted for the office and signed by 100 registered voters qualified to vote with respect to the office. **§ 8203**

NOMINATION PERIOD EXTENSION WHEN THE ONLY PARTY-NOMINATED/PARTISAN OR VOTER-

NOMINATED OFFICE CANDIDATE DIES: If only one candidate has filed Nomination Papers for a partisan nomination at the Presidential Primary Election for a party qualified to participate at that election or for nomination at the Presidential Primary Election for a voter-nominated office, and that candidate dies between **March 10 and March 14, 2012**, any person qualified under § 8001 may circulate and deliver nomination documents for the contest to the Registrar of Voters' office not later than **5:00 p.m. on March 23, 2012.** **§ 8025**

DEATH OF INCUMBENT CANDIDATE OR LONE OPPONENT – NONPARTISAN, NON-JUDICIAL OFFICE;

NOMINATION PERIOD REOPENS: Death of an incumbent or lone opponent between these dates causes filing to reopen between the day following the death and E-68. Any person qualified to be a candidate for the office may circulate and return nomination documents by **March 29, 2012, 5:00 p.m.** **§ 8027**

PUBLIC REVIEW FOR CANDIDATES' STATEMENTS OF QUALIFICATIONS AND BALLOT DESIGNATIONS:

During this period, Candidates' Statements of Qualifications and Ballot Designations will be available for public examination. These Candidates' Statements and Ballot Designations will be available at the Registrar of Voters' office on Monday through Friday, from 8:00 a.m. to 5:00 p.m., and will be posted on the Registrar of Voters' website. **§ 13313**

**March 14, 2012
(E-83)**

**March 14, 2012
(E-83)**

**March 15, 2012
(11:00 a.m.)
(E-82)
(Secretary of State
& Registrar of
Voters)**

**March 15, 2012
through
March 23, 2012
(E-82 – 74)**

**March 22, 2012
(Date fixed by law)
(E-75)**

**March 23, 2012
(E-74)**

ONLY ONE NOMINEE – COUNTY BOARD OF

EDUCATION: If by 5:00 p.m. on March 14, 2012, only one person has been nominated for each trustee area for County Board of Education, or no one has been nominated for the offices, and a petition signed by 10% of the voters or 50 voters, whichever is the smaller number, in the district or trustee area, if elected by trustee area, requesting that an election be held has not been presented to the Registrar of Voters, appointment will be made in lieu of election. **Ed. §§ 5326, 5328**

POLITICAL PARTY ENDORSEMENTS: Last day for any qualified political party to submit to the county elections official a list of all candidates for voter-nominated office who will appear on any ballot in the county in question, and who have been endorsed by the party. The county elections official shall print any such list that is timely received in the official sample ballot. **§ 13302(b)**

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

PUBLIC REVIEW FOR CANDIDATES' STATEMENTS OF QUALIFICATIONS AND BALLOT DESIGNATIONS IF NOMINATION PERIOD HAS BEEN EXTENDED: Public review period for Candidates' Statements of Qualifications and Ballot Designations filed during the extended filing period. **§ 13313**

FIRST PRE-ELECTION CAMPAIGN DISCLOSURE STATEMENTS DUE: The last day to file campaign disclosure statements for candidates and committees for the period ending March 17, 2012. **Gov't §§ 84200.5, 84200.7**

PRESIDENTIAL NOMINATION PAPERS – REPUBLICAN PARTY: Last day for unselected candidates to leave Nomination Papers for examination with the county elections official of the county in which they are circulated. There are no provisions for an uncommitted delegation. **§§ 6360, 6382**

**March 23, 2012
(E-74)**

**PRESIDENTIAL NOMINATION PAPERS – AMERICAN
INDEPENDENT, GREEN, LIBERTARIAN, AND PEACE**

AND FREEDOM: Last day to leave Nomination Papers for examination with the county elections official of the county in which they are circulated. This applies to the nomination of a candidate for the presidential preference portion of the primary ballot, to the nomination of a slate of delegates pledged to the candidacy of a particular candidate, and to the nomination of a slate of delegates not expressing a preference for a particular candidate. **§§ 6580, 6581, 6591, 6780, 6781, 6791**

For the American Independent Party, upon receipt of a sufficient number of signatures for the nomination of a candidate for the presidential preference primary ballot or of a group of candidates for delegates, the Secretary of State shall notify the candidate or the chairperson of the committee, respectively, of that fact and that no more signatures will be received. **§ 6599**

March 24, 2012
(E-73)**

PRESIDENTIAL NOMINATION PAPERS – DEMOCRATIC

PARTY: Last day for the steering committee of each unselected presidential candidate or uncommitted delegation to leave Nomination Papers for examination with the county elections official of the county in which they are circulated. **§ 6101**

Upon receipt of a sufficient number of signatures for the Presidential Primary Election ballot, the Secretary of State shall notify the chairperson of the steering committee of that fact and advise him or her that no more signatures will be received. **§ 6103**

**March 29, 2012
(E-68)**



CERTIFIED LIST OF CANDIDATES AND

ROTATION LIST: The last day for the Secretary of State to prepare and send to the Registrar of Voters a certified list of candidates arranged according to the randomized alphabet drawn on **March 15, 2012**. This list will show the name of every person eligible to receive votes within the county at the Presidential Primary Election, their addresses, their Ballot Designations, the offices for which each person is a candidate, and, if the office is partisan, the party each person represents. With respect to candidates for voter-nominated offices, the party preference designation indicated on his/her Declaration of Candidacy shall be listed.

§§ 8120, 8122, 8123, 8124, 8125, 8149

****When the last day for filing any instrument/document with a state agency falls upon a Saturday or holiday, the next business day is used.**

**March 29, 2012
(E-68)**

**March 29, 2012
(E-68)**

**April 6, 2012
(E-60)**

**April 6, 2012
through
June 5, 2012
(E-60 – 0)**

**April 9, 2012
through
May 22, 2012
(E-57 – 14)**

Last day for the Secretary of State to certify and to send to each county elections official the names of presidential candidates and chairpersons of uncommitted delegations of all parties and the names of delegate candidates who are entitled to be voted for at the Presidential Primary Election. **§§ 6180, 6950-6954**

UNCONTESTED COUNTY CENTRAL COMMITTEE

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

§§ 7228, 7423, 7673, 7772.1

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

SPECIAL ABSENTEE VOTERS' BALLOT

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

NOTE: A request for a vote-by mail ballot from a special absentee voter will be deemed an affidavit of registration and an application for permanent vote-by-mail status. **§§ 300(b), 3100, 3103**

LIST OF VOTE-BY-MAIL VOTERS: First day CDs are available for purchase indicating all voters who have been issued a vote-by-mail ballot.



WRITE-IN CANDIDATES: First day Statement of Write-in Candidacy and Nomination Papers are available for a write-in candidate. Must be filed with the Registrar of Voters' office by **May 22, 2012, 5:00 p.m.** A person seeking a voter-nominated office may become a write-in candidate only for the Presidential Primary Election; there are no write-in candidates for voter-nominated offices on the General Election ballot. **§ 8601**

**April 21, 2012
(E-45)
(Date fixed by law)**

**April 26, 2012
through
May 26, 2012
(E-40 – 10)**

**May 7, 2012
through
May 29, 2012
(E-29 – 7)**

**May 15, 2012
(E-21)**

**May 20, 2012
through
June 4, 2012
(E-16 – 1)**

**May 21, 2012
(E-15)**

MILITARY AND OVERSEAS VOTERS – BALLOTS: Last day for the county elections official to mail ballots to absent uniformed services voters and overseas voters.
42 U.S.C. § 1973ff-1 (MOVE Act)

STATE AND COUNTY MAILINGS: Between these dates, State Voter Information Guides will be mailed directly to voters by the Secretary of State (**April 26 through May 15**) and the Registrar of Voters will mail County Sample Ballot Pamphlets (**April 26 through May 26**).
§§ 9094(a), 13300, 13304

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

PRESIDENTIAL WRITE-IN CANDIDATES: Last day for write-in presidential candidates of all parties to file declarations with the Secretary of State in order to have write-in votes counted. No filing fee is required.
§§ 6241, 6441, 6621, 6822

LATE CAMPAIGN CONTRIBUTION REPORTING

PERIOD: Contributions received of \$1,000 or more per source must be reported within 24 hours during this period.
Gov't § 84203

LAST DAY TO REGISTER TO VOTE IN PRESIDENTIAL

PRIMARY ELECTION: Last day to register to vote in the Presidential Primary Election. The Voter Registration Form shall be mailed (postmarked by this date) or delivered to the county elections official by this date and is effective upon receipt. The Voter Registration Form may also be submitted by this date to the Department of Motor Vehicles or any National Voter Registration Act designated agency. Last day for special absentee voters to complete and sign the Federal Post Card Application (FPCA) registering to vote and requesting an absent voter ballot and to send it to the county elections official. **NOTE:** A request for a vote-by-mail ballot from a special absentee voter will be deemed an affidavit of registration and an application for permanent absent voter status. When a county elections official receives and approves an FPCA from a special absentee voter, the official must

**May 22, 2012
(E-14)**

**May 22, 2012
through
June 5, 2012
(E-14 – 0)**

**May 22, 2012
through
May 29, 2012
(E-14 – 7)**

**May 24, 2012
(E-12)**

**May 30, 2012
through
June 5, 2012**

provide that voter with vote-by-mail ballots for each subsequent election for federal office in the state unless the voter fails to vote in four consecutive statewide general elections.

42 U.S.C. § 1973ff; §§ 300(b), 2102, 2107, 3206

DEADLINE FOR WRITE-IN CANDIDATES TO FILE:

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

NEW CITIZEN REGISTRATION PERIOD: Any person who becomes a citizen after the 15th day prior to the election may register to vote beginning on the 14th day prior to an election and ending on at the close of polls on **June 5, 2012**. This registration must be executed in the county elections office. **§§ 331, 3500**

A new citizen registering to vote after the close of registration shall provide the county elections official with proof of citizenship prior to voting and shall declare that he or she has established residency in California. **§§ 331, 3500, 3501**

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

NEW RESIDENT REGISTRATION PERIOD: Any person who becomes a new resident after **May 21, 2012 (E-15)**, may register to vote beginning on **May 22, 2012 (E-14)**, and ending **May 29, 2012 (E-7)**. This registration must be executed in the county elections office and the new resident shall vote a new resident's ballot in that office. A new resident is eligible to vote for only president and vice president. **§§ 332, 3400**

The ballots of new residents shall be received and canvassed at the same time and under the same procedure as vote-by-mail ballots. **§ 3405**

SECOND PRE-ELECTION CAMPAIGN DISCLOSURE

STATEMENTS DUE: The last day to file campaign disclosure statements for candidates and committees covering the period ending **May 19, 2012**. **Gov't §§ 84200.5, 84200.7**

SPECIAL ABSENTEE VOTER – RECALLED TO

MILITARY SERVICE: A registered special absentee voter recalled to service **after May 29, 2012, but before 5:00 p.m. on**

**May 30, 2012
through
June 5, 2012
(E-6 -- 0)**

**June 5, 2012
(E-0)**

**June 5, 2012
(E-0)**

**June 5, 2012
(E-0)**

June 4, 2012, may appear before the county elections official in the county in which the special absentee voter is registered or, if within the state, in the county in which he or she is recalled to service and apply for a vote-by-mail ballot which may be submitted by facsimile, or by email or online transmission if the elections official makes the transmission option available.

The vote-by-mail ballot may be voted in or outside the elections official's office on or before the close of the polls on Election Day, **June 5, 2012, 8:00 p.m.**, and returned in the same manner as other vote-by-mail ballots. To be counted, the ballot must be returned to the elections official's office in person, by facsimile transmission, or by an authorized person on or before the close of the polls on Election Day.

If the special absentee voter appears in the county in which he or she is recalled to service, rather than the county to which he or she is registered, the elections official shall coordinate with the elections official in the county in which the special absentee voter is registered to provide the vote-by-mail ballot that contains the appropriate measures and races for the precinct in which the special absentee voter is registered. **§ 3110**

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

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

VOTE-BY-MAIL VOTER BALLOTS RETURNED: Deadline for the Registrar of Voters to receive vote-by-mail ballots by mail or in person is **June 5, 2012, 8:00 p.m.** A voter may deliver his/her vote-by-mail ballot in person to any polling place in the county by the close of the polls on Election Day. **§§ 3017, 3020**

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

**June 5, 2012
(E-0)**

SPECIAL ABSENTEE VOTERS: Any registered special absentee voter who has returned to their county of registration on or before this day, and to whom a vote-by-mail ballot has been mailed but not voted, may apply for a second vote-by-mail ballot. The elections official shall require him or her to sign an authorization to cancel the vote-by-mail ballot previously issued, and shall then issue another vote-by-mail ballot to the voter or certify to the precinct board that the voter is eligible to vote in the precinct polling place of his or her resident. **§ 3108**

An unregistered special absentee voter who was released from service after the close of registration, **May 21, 2012**, and who has returned to his or her county of residence may apply in person to register with the county elections official and vote in the election. Documentary proof of release from service is required. On or before the day of the election, the county elections official shall deliver to the precinct board a list of special absentee voters registered under Elections Code section 3107. **§§ 300(b), 3107**

A special absentee voter who returns to the county after **May 29, 2012** may appear before the county elections official and apply for registration, a vote-by-mail ballot, or both. The county elections official shall register the voter, if not registered, and shall deliver a vote-by-mail ballot which may be voted in, or outside, the county elections official's office on or before the close of the polls on the day of the election and returned as are other voted vote-by-mail ballots. **§ 3109**

**June 6, 2012
(E+1)**

COMMENCE OFFICIAL CANVASS OF ELECTION

RETURNS: The Registrar of Voters will begin the official canvass of the precinct returns. **§ 15301**

**June 15, 2012
(E+10)**

PROVISIONAL BALLOTS OF EMERGENCY WORKERS:

On or before **June 15, 2012 (E+10)**, a provisional ballot cast by an emergency worker outside of his or her home precinct must be received by the county elections official where the voter is registered. The elections official shall transmit for processing any ballot cast no later than the close of polls on Election Day by an emergency worker in a declared state of emergency, including any materials necessary to process the ballot, to the elections official in the county where the voter is registered to vote. **§ 14313**

**July 3, 2012
(E+28)**

COMPLETE CANVASS OF OFFICIAL RETURNS AND

CERTIFY RESULTS BY THIS DATE: No later than this date, the county elections official must complete the canvas, certify its results, and submit it to the Board of Supervisors. **§ 15372**

**July 3, 2012
(E+28)**

**July 31, 2012
(Date fixed by law)
(E+56)**

The last day for the county elections official to send the canvassed Presidential Primary Election returns for delegates to national conventions to the Secretary of State. **§ 15375(c)**

This is also the suggested deadline for the Board of Supervisors to declare the winners for each office and the results of each measure under its jurisdiction. **§ 15400**

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

SEMI-ANNUAL CAMPAIGN DISCLOSURE

STATEMENTS DUE: Last day to file semi-annual campaign disclosure statements for all candidates and committees for the period through June 30, 2012. **Gov't §§ 84200, 84218**

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

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



POLITICAL SUBDIVISIONS IN ORANGE COUNTY

| | |
|-----------------------------|---|
| 38th Congressional District | (Portions of Orange and Los Angeles Counties) |
| 39th Congressional District | (Portions of Orange, Los Angeles and San Bernardino Counties) |
| 45th Congressional District | |
| 46th Congressional District | |
| 47th Congressional District | (Portions of Orange and Los Angeles Counties) |
| 48th Congressional District | |
| 49th Congressional District | (Portions of Orange and San Diego Counties) |

| | |
|--------------------------|---|
| 29th Senatorial District | (Portions of Orange, Los Angeles and San Bernardino Counties) |
| 32nd Senatorial District | (Portions of Orange and Los Angeles Counties) |
| 34th Senatorial District | (Portions of Orange and Los Angeles Counties) |
| 36th Senatorial District | (Portions of Orange and San Diego Counties) |
| 37th Senatorial District | |

| | |
|------------------------|--|
| 55th Assembly District | (Portions of Orange, Los Angeles, and San Bernardino Counties) |
| 65th Assembly District | |
| 68th Assembly District | |
| 69th Assembly District | |
| 72nd Assembly District | |
| 73rd Assembly District | |
| 74th Assembly District | |

| | |
|--|---|
| 4th State Board of Equalization District | (Orange, Imperial, Riverside, San Diego, and San Bernardino Counties) |
|--|---|

| | |
|-----|---|
| 5 | Supervisory Districts |
| 5 | County Board of Education Trustee Areas |
| 120 | Superior Court Judges |



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

VOTER-NOMINATED*

OFFICES TO BE FILLED

Member of the United States Senate

INCUMBENT

Dianne Feinstein (D)

CONGRESSIONAL

Representative in Congress

38th District

39th District

45th District

46th District

47th District

48th District

49th District

Contact the Secretary
of State's office at
916-657-2166

STATE SENATE

Member of the Senate

29th District

37th District

Contact the Secretary
of State's office at
916-657-2166

STATE ASSEMBLY

Member of the Assembly

55th District

65th District

68th District

69th District

72nd District

73rd District

74th District

Contact the Secretary
of State's office at
916-657-2166

*A political party or party central committee shall not nominate a candidate at a Primary Election for a voter-nominated office. The Primary Election conducted for a voter-nominated office does not serve to determine the nominees of a political party but serves to narrow-down the number of candidates to a final list of two for the General Election. **A candidate's designation of party preference shall not be construed as an endorsement of that candidate by the party designated.** More than one candidate with the same party preference designation may participate in the General Election pursuant to Elections Code § 8141.5.



NONPARTISAN

OFFICES TO BE FILLED

INCUMBENT

SCHOOL- COUNTY

Member, County Board of Education, Trustee Area 1
Member, County Board of Education, Trustee Area 3
Member, County Board of Education, Trustee Area 4

Long Pham
Ken Williams
John W. Bedell

COUNTY SUPERVISORS

Supervisor, 1st District
Supervisor, 3rd District

Janet Nguyen
Bill Campbell**

****Out of office in 2012 due to term limits.**

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

OFFICE

INCUMBENT

JUDGE OF THE SUPERIOR COURT

| | |
|---------------|---------------------|
| Office No. 1 | Deborah J. Chuang |
| Office No. 2 | William D. Claster |
| Office No. 3 | John D. Conley |
| Office No. 4 | Sheila Fell |
| Office No. 5 | John C. Gastelum |
| Office No. 6 | Stephanie George |
| Office No. 7 | Geoffrey T. Glass |
| Office No. 8 | Beatriz M. Gordon |
| Office No. 9 | Sheila Hanson |
| Office No. 10 | Douglas Hatchimonji |
| Office No. 11 | David A. Hoffer |
| Office No. 12 | Frederick P. Horn |
| Office No. 13 | Theodore Howard |
| Office No. 14 | Gerald G. Johnston |
| Office No. 15 | M. Marc Kelly |
| Office No. 16 | Dennis J. Keough |
| Office No. 17 | Erick L. Larsh |
| Office No. 18 | Caryl A. Lee |
| Office No. 19 | Richard Lee |
| Office No. 20 | Brett London |
| Office No. 21 | Michael A. Leversen |
| Office No. 22 | Charles Margines |
| Office No. 23 | Linda S. Marks |
| Office No. 24 | David T. McEachen |
| Office No. 25 | Daniel B. McNerney |
| Office No. 26 | Mark S. Millard |

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

OFFICE

INCUMBENT

JUDGE OF THE SUPERIOR COURT

| | |
|---------------|---------------------|
| Office No. 27 | Gary S. Paer |
| Office No. 28 | Joe T. Perez |
| Office No. 29 | Luis A. Rodriguez |
| Office No. 30 | Glenn Salter |
| Office No. 31 | Salvador Sarmiento |
| Office No. 32 | Mary Fingal Schulte |
| Office No. 33 | Daphne Scott |
| Office No. 34 | Walter P. Schwarm |
| Office No. 35 | Clay M. Smith |
| Office No. 36 | David A. Thompson |
| Office No. 37 | Peter Wilson |

Judicial Office No. 1 through Judicial Office No. 37 are to be nominated or elected at the June 5, 2012 Presidential Primary Election. Judicial office numbers have been assigned in alphabetical order by the incumbent's last name by Registrar of Voters' staff. These numbers are assigned only for identification purposes during the election process and are not official office or district numbers.

PARTY-NOMINATED/PARTISAN

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

A Member of a Party County Central Committee is a party-nominated/partisan contest.

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

DISCLAIMER: The Natural Law Party and Reform Party have been disqualified from participation in future elections due to not meeting the requirements of Elections Code sections 5100(a)(b).

| | <u>REPUBLICAN</u> | <u>DEMOCRATIC</u> | <u>AMERICAN INDEPENDENT</u> | <u>GREEN</u> |
|--|---------------------|-------------------|-----------------------------|--------------|
| 55th Assembly District | 6 | 6 | 4 | |
| 65th Assembly District | 6 | 6 | 7 | |
| 68th Assembly District | 6 | 6 | 8 | 7 |
| 69th Assembly District | 6 | 6 | 3 | at-large |
| 72nd Assembly District | 6 | 6 | 8 | |
| 73rd Assembly District | 6 | 6 | 10 | |
| 74th Assembly District | 6 | 6 | 10 | |
| TOTAL | 42 | 42 | 50 | |
| | <u>LIBERTARIAN</u> | | <u>PEACE & FREEDOM</u> | |
| 1 st Supervisorial District | This party will | | 8 | |
| 2 nd Supervisorial District | not have a | | 7 | |
| 3 rd Supervisorial District | central committee | | 6 | |
| 4 th Supervisorial District | election per letter | | 7 | |
| 5 th Supervisorial District | from State Chairman | | 5 | |
| TOTAL | | | 33 | |

§§ 7202, 7401, 7651, 7752, 7754

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

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

EXCEPTION: The number of signatures required for a candidate for Libertarian or Peace & Freedom central committee shall be the lesser of: (a) Not less than 20 nor more than 30, or (b) Not less than 2 percent of the number of voters registered as affiliated with the Libertarian or Peace and Freedom Party in the central committee election district. Up to three **33**

candidates for member of the central committee in a single central committee election district may have their names listed on a single signer's form. The signatures thereon shall be counted toward the signatures required for each candidate whose name is listed on the signers form.

§§ 7776, 7777

A member of the state or county central committee of a political party does not constitute elective county or state offices as specified in Elections Code section 13107(a)(1).

FILING FEES
THE FILING FEE IS NON-REFUNDABLE

| <u>FEDERAL OFFICES</u> | <u>AMOUNT</u> | <u>% OF ANNUAL SALARY</u> |
|------------------------------------|---------------|---------------------------|
| Member of the United States Senate | \$3,480 | 2% |
| Representative in Congress | \$1,740 | 1% |
| <u>STATE OFFICES</u> | | |
| Member of the State Senate | \$952.91 | 1% |
| Member of the Assembly | \$952.91 | 1% |
| <u>COUNTY OFFICES</u> | | |
| Board of Supervisors | \$1,430.42 | 1% |
| Judge of the Superior Court | \$1,787.89 | 1% |
| County Central Committee | No Filing Fee | |
| County Board of Education | No Filing Fee | |

MEMBER OF THE UNITED STATES SENATE, REPRESENTATIVE IN CONGRESS, MEMBER OF THE STATE SENATE, AND MEMBER OF THE ASSEMBLY -- The Filing Fee must be paid at the time Nomination Papers are issued. Check must be made payable to the SECRETARY OF STATE.

BOARD OF SUPERVISORS -- The Filing Fee must be paid at time Nomination Papers are issued. Check must be made payable to the REGISTRAR OF VOTERS.

JUDGE OF THE SUPERIOR COURT -- The Filing Fee must be paid at the time the Declaration of Intention is filed. Check must be made payable to the REGISTRAR OF VOTERS.

The Filing Fee can be paid by cash, personal or certified check, credit card (MasterCard, Visa, American Express, and Discover) and postal money order. If a candidate pays the Filing Fee in cash and that Filing Fee is payable to the Secretary of State, an additional charge for obtaining a certified check will be made.

NOTE: Any of the above Filing Fees can be paid in whole or in part by Signatures-in-Lieu of Filing Fee. **§§ 8103, 8104, 8105, 8106**

NUMBER OF NOMINATION SIGNATURES REQUIRED

| <u>OFFICE</u> | <u>NUMBER OF SIGNATURES REQUIRED</u> |
|---|--------------------------------------|
| Member, United States Senate (§ 8062) |) 65-100 |
| Representative in Congress |) |
| Members, State Senate, and State Assembly (§ 8062) |) 40-60 |
| Judge of the Superior Court |) |
| Member, County Board of Education |) |
| Member, County Board of Supervisors (§ 8062) |) 20-40 |
| COUNTY CENTRAL COMMITTEES | |
| Republican, Democratic, American Independent Green (§ 8062) |) 20-40 |
| Libertarian |) |
| 1st Supervisorial District |) This party will |
| 2nd Supervisorial District |) not have a |
| 3rd Supervisorial District |) central committee |
| 4th Supervisorial District |) election per a |
| 5th Supervisorial District |) letter from the chairman |
| Peace and Freedom |) |
| 1st Supervisorial District |) 20 |
| 2nd Supervisorial District |) 20 |
| 3rd Supervisorial District |) 16 |
| 4th Supervisorial District |) 20 |
| 5th Supervisorial District |) 15 |

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

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

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

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

NUMBER OF SIGNATURES-IN-LIEU OF FILING FEE REQUIRED

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

FEDERAL OFFICES

| | | |
|----------------------------|--------|---------|
| United States Senator | 10,000 | \$34.80 |
| Representative in Congress | 3,000 | \$58.00 |

STATE OFFICES

| | | |
|----------------------------|-------|---------|
| Member of the State Senate | 3,000 | \$31.76 |
| Member of the Assembly | 1,500 | \$63.53 |

COUNTY OFFICES

| | | |
|-----------------------------|-------|---------|
| Board of Supervisors | 5,722 | \$25.00 |
| Judge of the Superior Court | 7,152 | \$25.00 |

§ 8106

THE FILING FEE OR PORTION THEREOF IS NON-REFUNDABLE!

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

Signatures-in-Lieu of Filing Fee Petitions can be obtained from the Registrar of Voters beginning **December 30, 2011**.

The Registrar of Voters will issue forms for obtaining the minimum number of Signatures-in-Lieu of paying a Filing Fee. If the candidate requires an additional quantity of forms, the candidate may duplicate a blank form to obtain the desired quantity.

NOTE: If a candidate wishes to designate another person to obtain and/or file his/her Signatures-in-Lieu of Filing Fee Petitions, he/she may do so **without this designation being in writing**.

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

Candidates may OBTAIN Signatures-in-Lieu of Filing Fee Petitions from the Registrar of Voters' office in the district. They may CIRCULATE the petitions in any county in the district, but must FILE them in the county where the signatures were obtained.

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

NEW

Any registered voter may sign a Signatures-in-Lieu of Filing Fee Petition for any candidate for whom he/she is eligible to vote. **For voter-nominated and nonpartisan offices, the signer does not need to be affiliated with the same political party as the candidate.** Prior to the passage of Proposition 14, for voter-nominated offices, only a voter of the same political party as a candidate could sign the candidate's Nomination Paper. Additionally, any voter could sign a Signatures-in-Lieu of Filing Fee Petition, but only the signature of a voter who was of the same political party could be counted toward the number of voters required to sign a Nomination Paper. Now, anyone, regardless of party preference, can sign a Nomination Paper for a voter-nominated office candidate. As a result, all signatures on a Signatures-in-Lieu of Filing Fee Petition may be counted toward the number of voters required to sign a candidate's Nomination Paper for vote-nominated and nonpartisan offices.

§§ 8106(b)(1), 8061, 8068

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

IMPORTANT: Each signer shall, at the time of signing the Signatures-in-Lieu of Filing Fee Petition, personally affix his/her signature, printed name and place of residence, giving street and number, and if no street or number exists, then a designation of the place of residence which will enable the location to be readily ascertained. **§ 100**

IMPORTANT: If a person who is a "Confidential Voter", a Superior Court Judge, or a candidate for Superior Court Judge signs a Signatures-in-Lieu of Filing Fee Petition, he/she **must personally affix his/her place of residence**. Signatures-in-Lieu of

Filing Fee Petitions are public documents; the residence address would now be public record. “Confidential Voters”, Superior Court Judges, and candidates for Superior Court Judge are **not exempt** from having to disclose their residential addresses on this document. However, Superior Court Judges and candidates for Superior Court Judge (but not “Confidential Voters”) **are exempt** from disclosing their residence addresses on the Declaration of Intention and the Declaration of Candidacy.

All valid signatures obtained on a Signatures-in-Lieu of Filing Fee Petition may be counted toward the number of voters required to sign a Nomination Paper. If a Signatures-in-Lieu of Filing Fee Petition contains the number of valid signatures required on a Nomination Paper, the candidate is not required to file Nomination Papers, but may request the Registrar of Voters to accept the Signatures-in-Lieu of Filing Fee Petition signatures instead of filing Nomination Papers. **The candidate must still file a Declaration of Candidacy.** If a Signatures-in-Lieu of Filing Fee Petition does not contain the number of valid signatures required on a Nomination Paper, the candidate must file, within the time period allowed for filing Nomination Papers, a Nomination Paper in order to obtain the requisite number of valid signatures. A candidate who submits a Nomination Paper to supplement the number of valid signatures filed on a Signatures-In-Lieu of Filing Fee Petition need only submit enough signatures on the Nomination Paper when combined with the signatures appearing on the Signatures-in-Lieu of Filing Fee Petition equals the number of signatures required for nomination.

It is suggested that more than the minimum number of signatures be obtained (**but not to exceed the maximum**) so that in case any are marked “Not Sufficient”, there will be enough “Sufficient” signatures remaining to validate the Nomination paper.



Any valid signatures on a Signatures-in-Lieu of Filing Fee Petition will now be counted towards both the Signatures-in-Lieu of Filing Fee Petition signature requirement and the Nomination Papers signature requirement until the minimum number of nomination signatures is met. However, if a voter signs both the candidate’s Signatures-in-Lieu of Filing Fee Petition and Nomination Papers, and that person’s signature on the Signatures-in-Lieu of Filing Fee Petition is counted towards the nomination signature requirement, then that persons’ signature on the Nomination Papers will not be counted.

Remember, if the petition is circulated for an office in more than one county, the candidate shall submit the signatures to the Registrar of Voters in the county in which the signatures were obtained. **§ 8106(b)(4)**

Signatures-In-Lieu of Filing Fee Petitions do not need to be filed at the same time. They may be filed throughout the Signatures-in-Lieu of Filing Fee Petitions filing period: **December 30, 2011 through February 23, 2012, 5:00 p.m. for all candidates except for those running for Superior Court Judicial offices who shall file Signatures-in-Lieu of Filing Fee Petitions by February 8, 2012, 5:00 p.m.** **§ 8106**

Upon receipt of the minimum number of Signatures-in-Lieu of Filing Fee Petition signatures required, or a sufficient combination of such signatures and pro rata Filing Fee, the Registrar of Voters shall issue Nomination Papers provisionally. Within 10 days after receipt of a petition, the Registrar of Voters shall notify the candidate of any deficiency. The candidate shall then, prior to the close of the nomination period, either submit a supplemental petition, or pay a pro rata portion of the Filing Fee, to cover the deficiency. **§ 8106**

EXCEPTION: The Filing Fee for the office of Superior Court Judge shall be paid upon

the filing of the candidate's Declaration of Intention to become a candidate.
All Filing Fees are nonrefundable. Therefore, Signatures-in-Lieu of Filing Fee Petitions must be filed at the time a candidate for Superior Court Judge files a Declaration of Intention, which is **between December 30, 2011 through February 8, 2012, 5:00 p.m.**

EXCEPTION: If an incumbent Superior Court Judge fails to file a Declaration of Intention by **February 8, 2012, 5:00 p.m.**, the filing period for Signatures-in-Lieu of Filing Fee Petitions for that particular office is extended to **February 13, 2012*, 5:00 p.m.** for persons other than the incumbent.

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

NOTE: THE CANDIDATE IS STILL REQUIRED TO FILE A DECLARATION OF CANDIDACY DURING THE NOMINATION PERIOD (FEBRUARY 13, 2012* THROUGH MARCH 9, 2012, 5:00 P.M.) EVEN THOUGH HE/SHE COUNTS THE SIGNATURES APPEARING ON THE IN LIEU OF FILING FEE PETITION TOWARD THE NUMBER OF SIGNATURES REQUIRED FOR THE CANDIDATE'S NOMINATION PAPERS.

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

GENERAL QUALIFICATIONS TO RUN FOR AND HOLD PUBLIC OFFICE

A Candidate must be:

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

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

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

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

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

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

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

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

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

SPECIAL QUALIFICATIONS TO RUN FOR AND HOLD PUBLIC OFFICE VOTER-NOMINATED OFFICES

NEW

Proposition 14 was passed by the voters in June of 2010 providing for a “voter-nominated Primary Election” for each state elective office and congressional office in California. A voter may vote at the Primary Election for any candidate for congressional or state elective office **without regard to the political party preference disclosed by either the candidate or the voter.** The two candidates receiving the two highest vote totals for each office, regardless of party preference, would then compete for the office at the ensuing General Election. More than one candidate with the same party preference designation may participate in the General Election. **§ 8141.5**

NEW

For the June 5, 2012 Presidential Primary Election, the offices of Member of United States Senate, Representative in Congress, Member of State Senate, and Member of the Assembly are no longer considered partisan offices; they are now voter-nominated offices.

NEW

Therefore, the requirement that candidates for these offices must have been continuously affiliated with the political party of the nomination for which he/she seeks for at least three months prior to filing his/her Declaration of Candidacy **is no longer in effect.** In addition, the requirement that candidates for these offices not be registered as affiliated with a qualified political party other than that political party of nomination for which he/she seeks within 12 months immediately prior to the filing of the Declaration of Candidacy **is no longer in effect.**

UNITED STATES SENATOR

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

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

U.S. Const., Art.1, § 3

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

U.S. Const., Amendment 17

REPRESENTATIVE IN CONGRESS

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

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

U.S. Const., Art. 1, § 2

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

MEMBER OF THE STATE SENATE and MEMBER OF THE ASSEMBLY

- must:**
- **be a registered voter in the district and otherwise qualified to vote for that office at the time Nomination Papers are issued to the person;**
 - **be a United States citizen; and**
 - **not have served more than two terms in the State Senate if a candidate for State Senate; not have served more than three terms in the State Assembly if a candidate for State Assembly.**
- § 201, Cal. Const. Art. IV, § 2(c)**

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

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

**SPECIAL QUALIFICATIONS TO RUN FOR AND HOLD PUBLIC OFFICE
PARTY-NOMINATED/PARTISAN OFFICES**

For the June 5, 2012 Presidential Primary Election, the offices of President of the United States/Vice President of the United States and Members of Party Central Committees are party-nominated/partisan offices.

NOTE: No Declaration of Candidacy for a party-nominated/partisan office shall be filed by a candidate unless:

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

§ 8001

MEMBER, COUNTY CENTRAL COMMITTEE

must:

- be a registered voter and otherwise qualified to vote for that office at the time Nomination Papers are issued to the person.

IMPORTANT: A member of the state or county central committee of a political party does not constitute elective county or state offices as specified in Elections Code section 13107(a)(1).

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

§§ 7209, 7407, 7654, 7852

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

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

§§ 7228, 7423, 7673

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

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

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

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

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

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

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

EXCEPTION: The Green Party elects 7 county council members.

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

MEMBER OF THE COUNTY BOARD OF EDUCATION

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

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

SUPERIOR COURT JUDGE

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

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

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

Terms of judges of Superior Courts are six years beginning the Monday after January 1 following their election. A vacancy shall be filled by election to a full term at the next General Election after the second January 1 following the vacancy, but the Governor shall appoint a person to fill the vacancy temporarily until the elected judge's term begins. **Cal. Const. Art. VI, § 16c**

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

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

If an incumbent of a judicial office dies on or before the last day prescribed for the filing of Nomination Papers, or files a Declaration of Intention, but for any reason fails to file his/her Nomination Papers by the last day prescribed for the filing of the papers, an additional five days shall be allowed for the filing of Nomination Papers for the office. Any person other

than the incumbent, if otherwise qualified, may file Nomination Papers for the office during the extended period. **§ 8204**

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

All candidates for Superior Court Judicial offices shall complete a Special Qualifications form. By signing this document, under penalty of perjury, the candidate is stating that he/she meets the special qualifications for Superior Court Judicial office. The Registrar of Voters' office is not responsible for investigating that candidates meet these special requirements. The form must be filed with the Registrar of Voters' office by February 8, 2012, the deadline for filing the Declaration of Intention.

MEMBER OF THE BOARD OF SUPERVISORS

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

§ 201, Gov't Code §§ 24001, 25040, 25041

DECLARATION OF INTENTION

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

Between January 30, 2012 and February 8, 2012, 5:00 p.m., all candidates for SUPERIOR COURT JUDICIAL OFFICES MUST file a Declaration of Intention.

Signatures-in-Lieu of Filing Fee Petitions MUST be submitted or the Filing Fee MUST be paid at the time the Declaration of Intention is filed.

Between February 13, 2012* and March 9, 2012, 5:00 p.m., all candidates who are required to file a Declaration of Intention are also required to file a Declaration of Candidacy. If a Signatures-in-Lieu of Filing Fee Petition does not contain the requisite number of valid signatures needed on Nomination Papers, the candidate is also required to file Nomination Papers to meet the requirement for the requisite number of valid signatures needed.

§§ 8023, 8061

ALL FILING FEES ARE NONREFUNDABLE!

§ 8105

Every candidate for a Superior Court Judicial office, not more than 14 nor less than 5 days prior to the first day on which his/her Nomination Papers may be circulated and signed or may be presented for filing, shall file in the office of the Registrar of Voters a written and signed statement of his/her intention to become a candidate for that office on a form to be supplied by the Registrar of Voters. A candidate for a numerically designated Judicial office shall state in his/her declaration for which office he/she intends to become a candidate. The period for filing a Declaration of Intention is **January 30, 2012 through February 8, 2012, 5:00 p.m.**

§ 8023

If an incumbent Superior Court Judge fails to file a Declaration of Intention by **February 8, 2012, 5:00 p.m.**, the period is extended, for persons other than the incumbent, to **February 13, 2012*, 5:00 p.m.** for that particular office.

§ 8022

If an incumbent Superior Court Judge files a Declaration of Intention, but for any reason fails to qualify for nomination for the office by the last day prescribed for the filing of Nomination Papers, **March 9, 2012, 5:00 p.m.**, an additional five days shall be allowed for the filing of Nomination Papers for the office during the extended period, notwithstanding that he/she has not filed a written and signed Declaration of Intention to become a candidate for the office.

§§ 8022, 8204

* If date falls on a Sunday or holiday, use next business day.

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

§ 8023

IMPORTANT: A candidate for a Superior Court Judicial Office (including Incumbent Judges) **MUST** provide a residential address on: (1) Signatures-in-Lieu of Filing Fee Petitions, if submitted; and, (2) Nomination Papers, including his/her own Nomination Papers and other candidates' Nomination Papers. **After signing the document, his/her residential address would become a public record and would not remain confidential.**

IMPORTANT: If a "Confidential Voter" signs a Signatures-in-Lieu of Filing Fee Petition and/or Nomination Papers, he/she must personally affix his/her place of residence. **After signing the document, his/her residential address would become a public record and would not remain confidential. In addition, his/her signature will not be considered a valid signature for the candidate's Signatures-in-Lieu of Filing Fee Petition and/or Nomination Papers.**

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

§ 8105

DECLARATION OF CANDIDACY AND NOMINATION PAPERS

Between February 13, 2012* and March 9, 2012, all candidates must file a Declaration of Candidacy and Nomination Papers.

The Filing Fee must be paid at the time the Declaration of Candidacy and Nomination Papers are obtained from the Registrar of Voters unless:

(a) No Filing Fee is required; or

(b) The candidate is filing Signatures-in-lieu of Filing Fee Petitions to meet the Filing Fee requirement.

ALL FILING FEES ARE NONREFUNDABLE!

February 13, 2012* is the first date that candidates may obtain, circulate and leave for filing or examination and certification, the Declaration of Candidacy and nomination documents.

§ 8020

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

§§ 8101, 8105

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

§ 8040

NOTE: The residence address must be completed on the Declaration of Candidacy for all contests except judicial offices.

§ 8040(a)(b)

NEW

A candidate for a voter-nominated office (Member of the United States Senate, Representative in Congress, Member of the State Senate, and Member of the State Assembly) may indicate his or her party preference, or lack of party preference upon his/her Declaration of Candidacy, as disclosed upon the candidate's most recent statement of registration. If a candidate indicates his or her party preference on his or her Declaration of Candidacy, it shall appear on the Primary and General Elections ballots in conjunction with his or her name. **The candidate's designated party preference on the ballot shall not be changed between the Primary and General Elections.**

§ 8002.5(a)

NEW

A candidate for voter-nominated office may also choose not to have the party preference disclosed upon the candidate's most recent affidavit of registration indicated upon the ballot.

§ 8002.5(a)

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

NEW

A voter-nominated office candidate designating a party preference shall not be deemed to be the official nominee of the party designated as preferred by the candidate and is only shown for the information of the voter. A candidate's designation of party preference shall not be construed as an endorsement of that candidate by the party designated. It does not constitute or imply an endorsement of the candidate by the party designated, and no candidate nominated by the qualified voters for any voter-nominated office shall be deemed to be the officially nominated candidate of any political party. **§ 8002.5(c)**

NEW

A new section has been added to the Declaration of Candidacy for voter-nominated office candidates. It is mandatory that these candidates list their party preferences/voter registration histories for the preceding ten years. This information will be posted on the Secretary of State's website and the Registrar of Voters' Sample Ballot Pamphlet and website. **§ 8121(a)**

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

For candidates with long names, there is a possibility that the Registrar of Voters' system may split the name. Due to space limitations of the ballot, the Registrar of Voters' office is unable to change column size, font size, etc., to accommodate long names. **A candidate should keep this in mind as he/she designates on his/her Declaration of Candidacy how he/she want his/her name to appear on the ballot.**

NEW

If a candidate for a voter-nominated or nonpartisan office submits a Signatures-in-Lieu of Filing Fee Petition pursuant to section 8106, any valid signatures appearing on the petition will, if the signatures are those of registered voters and eligible to vote for the candidate, be counted toward the number of voters required to sign Nomination Papers. **The requirement for voter-nominated offices that the signer must be registered with the political party of the candidate for the signature to be counted toward the signature requirement on Nomination Papers is not longer in effect.** If a Signatures- in-Lieu of Filing Fee Petition contains the requisite number of valid signatures needed on Nomination Papers, the candidate is not required to file Nomination Papers, but may request the Registrar of Voters to accept the petition instead of filing Nomination Papers. **§ 8061**

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

(See DETAILED INSTRUCTIONS FOR CANDIDATES AND THEIR CIRCULATORS for information on signing Nomination Papers.)

All nomination documents which are required to be filed in the office of the Secretary of State shall, within five days after being left with the Registrar of Voters, be forwarded to the Secretary of State, who shall receive and file them. The Registrar of Voters shall forward with the nomination documents a statement showing the total number of signatures on the nomination documents which have not been marked "not sufficient." **§ 8082**

All nomination documents must be filed with the Registrar of Voters or left for examination and forwarding to the Secretary of State by **March 9, 2012, 5:00 p.m.** unless the filing period is extended due to circumstances described in the following paragraphs. **Nomination signatures do not need to be filed at the same time and may be filed**

before the Declaration of Candidacy is filed. If after verification, the minimum number of nomination signatures has not been attained, supplemental signatures may then be obtained until the filing deadline or the candidate may use a pro rata portion of the Filing Fees to cover any deficiency. **§ 8106(b)(3)**

If nomination documents for an incumbent Member of the United States Senate, Representative in Congress, Member of the State Senate, and Member of the Assembly (voter-nominated offices) are not delivered by **5:00 p.m.** on the **88th day** before the Presidential Primary Election, any person other than the person who was the incumbent on the 88th day shall have until **5:00 p.m.** on the **83rd day** before the election to file nomination documents for the elective office. However, if the incumbent's failure to file nomination documents is because he/she has already served the maximum number of terms permitted by the California Constitution for that office, there shall be no extension of the period for filing the nomination documents. **§§ 8022, 8204**

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

If an incumbent Superior Court Judicial Officer fails to file a Declaration of Intention by the end of the Declaration of Intention filing period, persons other than the incumbent may file a Declaration of Intention no later than the first day for filing Nomination Papers. For additional requirements, see DECLARATION OF INTENTION information on pages 48-49.

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

Every candidate must file a Declaration of Candidacy during the nomination period, whether or not a Nomination Paper is filed. The Declaration of Candidacy form must be obtained from and filed with the Registrar of Voters' office in the candidate's county of residence. **§§ 8020, 8064**

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

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

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

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

NOTE: A person does not need to be designated in writing by the candidate to obtain or file Signatures-in-Lieu of Filing Fee Petitions and Nomination Papers; this is only necessary to obtain and/or file the Declaration of Candidacy.

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

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



Important: For County elected offices, the Oath on the back of the Declaration of Candidacy is not the official Oath of Office. Between Election Day and January 7, 2012 (the date of taking office), the Clerk of the Board will administer the Oath of Office to those elected to these offices.

DETAILED INSTRUCTIONS FOR CANDIDATES AND THEIR CIRCULATORS

(Please read carefully before obtaining signatures)

CIRCULATORS

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

All candidates should endeavor to obtain the required number of signatures as soon as possible, in order that their Nomination Papers may be returned to the Registrar of Voters' office for examination and filing or certification to the Secretary of State, as the case may be. **All Nomination Papers do not need to be filed at the same time.**

A circulator (whether the candidate himself/herself or another person) must make a sworn statement that all the signatures he/she obtained on the Nomination Papers were made in his/her presence and that to the best of his/her knowledge and belief each signature is the genuine signature of the person whose name it purports to be. Accordingly, Nomination Papers may not be handed to someone else to obtain the signatures. Only one person may obtain signatures to a section of a Nomination Paper. **§ 8041**

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

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

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

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

SIGNERS



For voter-nominated offices, signers shall be voters in the district or political subdivision in which the candidate is to be voted on. **The signer does not need to be affiliated with the same political party as the candidate.** **§ 8068**

For nonpartisan offices, signers shall be voters in the district or political subdivision in which the candidate is to be voted on. **The signer does not need to be affiliated with the same political party as the candidate.** **§ 8068**

For party-nominated/partisan offices, **signers shall be affiliated registered voters who disclosed a preference for the party in which the nomination is proposed.** **§ 8068**

DETAILED INSTRUCTIONS FOR CANDIDATES AND THEIR CIRCULATORS

IMPORTANT: Each signer shall, at the time of signing Nomination Papers, personally affix his/her signature, printed name and place of residence, giving street and number, and if no street or number exists, then a designation of the place of residence which will enable the location to be readily ascertained. **§ 100**

IMPORTANT: If a person who is a “Confidential Voter”, a Superior Court Judge, or a candidate for Superior Court Judge signs a Nomination Paper, **he/she must personally affix his/her place of residence.** Nomination Papers are public documents; after signing the document, the residence address would now become public record. “Confidential Voters”, Superior Court Judges, and candidates for Superior Court Judge are **not exempt** from having to disclose their residential addresses on this document. However, Superior Court Judges and candidates for Superior Court Judge (but not “Confidential Voters”) **are exempt** from disclosing their residence addresses on the Declaration of Intention and the Declaration of Candidacy.

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

No signer shall, at the time of signing a Nomination Paper, have his/her name signed to any other Nomination Paper for any other candidate for the same office, or, in case there are several places to be filled in the same office, signed to more Nomination Papers for candidates for that office than there are offices to be filled. **§ 8069**

NOTE: Candidates MUST OBTAIN Nomination Papers from their county of domicile. They may CIRCULATE the papers in any county in the district but must FILE the Nomination Papers in the county where the signatures were obtained.

NEW

Before filing or forwarding for filing any Declaration of Candidacy or Nomination Papers, the Registrar of Voters will verify the signatures (and the political party preferences of the signers for party-nominated/partisan offices) on the Nomination Papers with the registration affidavits on file in the office of the Registrar of Voters. **Party preferences do not need to be verified for signatures on voter-nominated and nonpartisan offices.** The Registrar of Voters will mark "not sufficient" any signature which does not appear in the same handwriting as appears on the affidavit of registration in his/her office (or which is accompanied by a declaration of party preference which is not in accordance with the declaration of party preference on the affidavit of registration for party-nominated/partisan offices). The Registrar of Voters may cease to verify signatures once the minimum requisite number of signatures has been verified. **§ 8081**

ELECTED OR NOMINATED

Member, Orange County Board of Supervisors and Judge of the Superior Court: Any candidate for a nonpartisan office who at a Primary Election receives votes on a majority of all the ballots cast for candidates for that office shall be elected to that office. Where a candidate has been elected to a nonpartisan office at the Primary Election, that office shall not appear on the ballot at the ensuing General Election, notwithstanding the death, resignation, or other disqualification of the candidate at a time subsequent to the Primary Election. **§ 8140**

If no candidate has been elected to a nonpartisan office pursuant to Section 8140, then candidates for that office at the ensuing General Election shall be the candidates not elected at the Primary Election who received the highest and second-highest numbers of votes for that office. **§ 8141**

Member, Orange County Board of Education: When one member of the governing board of a school district or community college district is to be elected, the candidate receiving the highest number of votes shall be elected. When two or more members are to be elected, the two or more candidates receiving the highest number of votes shall be elected. **§ 10600**



Member of the United States Senate, Representative in Congress; Member of the State Senate, and Member of the State Assembly (voter-nominated offices): Only the two candidates for a voter-nominated office who receive the highest and second-highest numbers of votes cast at the Primary Election shall appear on the ballot as candidates for that office at the ensuing General Election. More than one candidate with the same party preference designation may participate in the General Election. No candidate for a voter-nominated office shall be deemed to be the official nominee for that office of any political party, and no party is entitled to have a candidate with its party preference designation participate in the General Election unless such candidate is one of the two candidates receiving the highest or second-highest numbers of votes cast at the Primary Election. **§ 8141.5**

Member, County Democratic, Republican, and American Independent Parties Central Committees: In each county the number of candidates for membership in a county central committee in each Assembly or Supervisorial District who receive the highest number of votes shall be declared elected. However, a candidate for membership shall not be declared elected unless he or she has received votes equal in number to the minimum number of signatures to the Nomination Papers which would have been required to place his or her name on the Statewide Direct Primary Election ballot as a candidate for member of a committee. **§§ 15460, 154790, 15480**

Member, County Peace and Freedom Party and County Libertarian Party Central Committees: In each county the number of candidates for member of central committees to be elected in each central committee election district who receive the highest number of votes shall be declared elected. The names and votes of all nominees for partisan public office qualified for central committees membership pursuant to Section 7755 shall be excluded from the list of candidates for member of central committees and disregarded in the determination of the candidates with the highest number of votes. **§ 15490**

DATES OF TAKING OFFICE

Elected **Members of the United States Senate** and **Representatives in Congress** take office at noon on **January 3, 2013**.
U.S. Const., Amendment 20, § 1

Members of the **State Senate** and **Assembly** take office on **December 3, 2012**.
Cal. Const., Art. IV, § 2

Elected members of the **Board of Supervisors** take office at noon on **January 7, 2013**.
Gov't Code § 24200

Elected **County Board of Education Trustees** take office on **July 1, 2012**.
Ed. Code § 1007

Elected **Superior Court Judges** take office on **January 7, 2013**.
Cal. Const., Art. VI, § 16

County Central Committee Members take office as specified by the county committee.

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

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

- (1) Words designating the elective city, county, district, state or federal office which the candidate holds at the time of filing the nomination documents to which he/she was elected by vote of the people, or to which he/she was appointed, in the case of a Superior Court Judge. **There is no word limit for the official title of the office.** A candidate may choose to include the name of his/her elective office with another profession, vocation, or occupation, but that ballot designation is limited to no more than three words.
- (2) The word "incumbent" if the candidate is a candidate for the same office which he/she holds at the time of filing the Nomination Papers, and was elected to that office by a vote of the people, or, in the case of a Superior Court Judge, was appointed to that office. **The word "incumbent" must be used as a noun and must stand alone.**
- (3) The phrase "appointed incumbent" may be used 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.

If the candidate is a candidate for **election to another office**, but wants to use the title of his/her current appointed office, he may use the word "appointed" and the title of his/her current office. He/she may not use "appointed **incumbent**" in this case.

In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." **The words "appointed incumbent" must stand alone.**

However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he/she holds and to which he/she was appointed as a nominated candidate, in lieu of an election pursuant to Education Code sections 5326 and 5328 or Elections Code sections 7228, 7423, 7673, 10229, or 10515.

- (4) **For purposes of this section, all California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. The names of special districts, school districts, and political subdivisions are not geographical names.**

CA Admin Code, Title 2, Division 7, § 20714(f)(3)

- (5) Punctuation shall be limited to the use of a comma. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the

election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

- (6) **No more than three words** designating the current principal professions, vocations, or occupations of the candidate may be used as a ballot designation. However, in the event the candidate does not have a current principal profession, vocation or occupation at the time he/she files his/her nomination documents, the candidate may use a ballot designation consisting of his/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 documents.

CA Admin Code, Title 2, Division 7, § 20714(d)

“Principal”, as that term is used in Elections Code §13107(a)(3), means a substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. **The term “principal” precludes any activity which does not entail a significant involvement on the part of the candidate. Involvement which is only nominal, pro forma, or titular in character does not meet the requirements of the statute. The ballot designation must accurately state the candidate's principal professions, vocations, or occupations and must be factually accurate and descriptive, and neither confusing nor misleading.**

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

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

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

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

licensure, including the payment of all applicable license fees and (b) the status of the candidate's license is active at the time he/she filed his/her nomination documents. A candidate who holds a professional, vocational, or occupational license issued by the State of California may not claim such profession, vocation or occupation as one of his/her "principal" professions, vocations, or occupations if (a) the candidate's licensure status is "inactive" at the time the candidate files his/her nomination documents; or (b) the candidate's license has been suspended or revoked by the agency issuing the license at the time the candidate files his/her nomination documents.

Multiple Principal Professions, Vocations, or Occupations: A candidate may engage in multiple principal professions, vocations or occupations. However, if a candidate proposes a ballot designation including multiple principal professions, vocations or occupations, the proposed ballot designation must comply with the following provisions: (1) The three-word limitation specified in Elections Code § 13107(a)(3); (2) Each such proposed profession, vocation or occupation shall be separately considered and must independently qualify as a "principal" profession, vocation, or occupation; and (3) When multiple professions, vocations or occupations are proposed as a ballot designation, they shall be separated by a slash ("/").

- (7) **"Community Volunteer"** means a person who engages in an activity or performs a service for or on behalf of, without profiting monetarily, one or more of the following: (1) A charitable, educational, or religious organization as defined by the U.S. Internal Revenue Code § 501(c)(3); (2) a governmental agency; or (3) an educational institution.

The activity or service must constitute substantial involvement of the candidate's time and effort such that the **activity or service is the sole, primary, main, or leading professional, vocational or occupational endeavor of the candidate.** The words **"Community Volunteer"** must stand alone.

Remember: The candidate must use his/her principal profession, vocation, or occupation as his/her ballot designation. "Community Volunteer" will not be allowed if the candidate does have a principal profession, vocation, or occupation. If the volunteer work is considered an "avocation" (see below under "Unacceptable Ballot Designations), then "Community Volunteer" may not be used as the ballot designation.

- (8) The use of the word **"retired"** is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation. These factors will be taken into consideration: (a) Prior to retiring from his/her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than five years; (b) The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension; (c) The candidate has reached at least the age of 55 years; (d) The candidate voluntarily left his/her last professional, vocational, or occupational position; (e) If the candidate requests a ballot designation that he/she is a retired public official, he/she must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office; (f) The candidate has not had another more recent,

principal profession, vocation, or occupation; and (g) The candidate's retirement benefits are providing him/her with a principal source of income.

UNACCEPTABLE BALLOT DESIGNATIONS:

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

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

Example: (a) If a person is a PTA President (not a paid position), and does not have a principal profession, vocation, or occupation, then that person could use "Community Volunteer" as his/her ballot designation but could not use "PTA President". "PTA President" is considered a "status (see "c: Statuses"); (b) If the person is a PTA President (not a paid position), and also has a principle profession, vocation, or occupation, he/she must use his/her principle profession, vocation, or occupation as his/her ballot designation; (c) If the person is a PTA President (not paid position) and also has a principle profession, vocation, or occupation, he/she **could not** use both the principle profession, vocation, or occupation and "Community Volunteer" (even if the designation meets the three-word requirement) because "Community Volunteer" must stand alone.

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

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

(2) A ballot designation which abbreviates the word "retired" or places it following any word or words which it modifies. Examples of impermissible designations include, but are not limited to: Ret. Army General; Major USAF, Retired; and City Attorney, Retired.

- (3) No degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name per Elections Code § 13106. Examples include, but are not limited to: Ph.D., M.A., B.A., B.S., and M.D.
- (4) A ballot designation may not comprise or include commercial identification information, such as a trademark, service mark, trade name, or the specific name of a business, partnership, corporation, company, foundation, or organization. Examples of an improper use of commercial identification information include, but are not limited to: Acme Company President, Universal Widget Inventor, Director, Smith Foundation, UCLA Professor, and the like.
- (5) Pursuant to Elections Code § 13107(a)(2), a ballot designation which would suggest an evaluation of the candidate's qualifications, honesty, integrity, leadership abilities or character. Any laudatory or derogatory adjectives which would suggest an evaluation of the candidate's qualifications shall not be permitted. Such impermissible adjectives include, but are not limited to: Senior, emeritus, specialist, magnate, outstanding, leading, expert, virtuous, eminent, best, exalted, prominent, famous, respected, honored, honest, dishonest, corrupt, lazy, advocate, and the like.
- (6) A ballot designation which uses a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed, or judicial office previously held by the candidate. These include, but are not limited to: Ex-, former, past, and erstwhile. Examples of impermissible designations include: Former Congressman, Ex-Senator, and Former Educator.
- (7) A ballot designation indicating that a candidate is a member of the state or **county central committee of a political party**, or an officer of a state or county central committee of a political party, **are improper, as such positions do not constitute elective county or state offices as specified in Elections Code § 13107(a)(1)**. A Member of the Central Committee may use as his/her ballot designation the word "Incumbent", but may not use "Member of the Central Committee".
- (8) A ballot designation which uses the name of any political party, whether or not it has qualified for recognized ballot status.
- (9) A ballot designation which uses a word or words referring to a racial, religious or ethnic group or implies any ethnic or racial slurs or ethnically or racially derogatory language.
- (10) If the candidate is a member of the clergy, the candidate may not make reference to his/her specific denomination. However, the candidate may use his/her clerical title as a ballot designation (e.g. Rabbi, Pastor, Minister, Priest, Bishop, Deacon, Monk, Nun, Imam, etc).

Neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:

- (1) It would mislead the voter.
- (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.

- (3) It abbreviates the word “retired” or places it following any word or words which it modifies.
- (4) It uses a word or prefix, such as “former” or “ex-,” which means a prior status. The only exception is the use of word “retired.”
- (5) It uses the name of any political party, whether or not it has qualified for the ballot.
- (6) It uses a word or words referring to a racial, religious, or ethnic group.
- (7) It refers to any activity prohibited by law.

BALLOT DESIGNATION WORKSHEET

Each candidate who submits a ballot designation **shall file a Ballot Designation Worksheet** that supports the use of that ballot designation by the candidate.

§ 13107.3, Admin. Code § 20711

The Ballot Designation Worksheet shall be filed with the Registrar of Voters at the same time that the candidate files his/her Declaration of Candidacy.

§ 13107.3, Admin. Code § 20711

The Ballot Designation Worksheet is public record and shall be available for inspection and copying.

Admin. Code § 20711

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

Admin. Code § 20711

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

§13107.3

The purpose of the Ballot Designation Worksheet is for the candidate to give information to substantiate his/her Ballot Designation. **It must be completed in its entirety.** The candidate signs this worksheet under penalty of perjury that the Ballot Designation and the provided back-up information are accurate. **It is not the responsibility of the Registrar of Voters' staff to investigate if the facts indicated by the candidate are valid.** The Ballot Designation Worksheet is used as back-up for his/her Ballot Designation in the event the Ballot Designation is challenged.

In reviewing the nomination documents, the Registrar of Voters' staff will verify that the Ballot Designation meets the **basic restrictions set forth in this section**, such as the three-word limitation and the use of "Incumbent". If the designation is found to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents.

The candidate shall, within three days from the date of receipt of the notice, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide an alternate designation. **In the event the candidate fails to provide an alternate designation, no designation will appear after the candidate's name.**

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

The designation shall remain the same for all purposes of both Primary and General Elections, unless the candidate, at least 98 days prior to the General

Election, requests in writing a different designation which the candidate is entitled to use at the time of the request. The written request must be accompanied by a Ballot Designation Worksheet. § 13107(e)

In all cases, words so used shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements of Elections Code sections 13207 and 13211, the elections official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.

Whenever a foreign language translation of a candidate's designation is required under the Voting Rights Act of 1965 (42 U.S.C. Sec. 1971), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is practicable with this section, and shall employ abbreviations and initials wherever possible in order to avoid undue length.

BALLOT ORDER OF CANDIDATES

The ballot order of a candidate depends upon the contest for which the person is a candidate. The ballot order for a specific contest will be determined by one of two methods: (1) A random draw conducted by the Secretary of State or the County; or (2) A rotation determined pursuant to Elections Code § 13111.

The following June 5, 2012 Presidential Primary Election contests' ballot orders will be determined by a random draw: Member of the State Senate, Member of the State Assembly, Member of the Orange County Board of Supervisors, Member of the County Board of Education, and Member of the Central Committee (except the Green Party Council).

The following June 5, 2012 Presidential Primary Election contests' ballot orders will be determined by rotation: United States President/Vice President, Member of the United States Senate, Representative in Congress, Superior Court Judge, and Member of the Green Party Council.

RANDOMIZED ALPHABET:

The Secretary of State shall conduct a drawing of the letters of the alphabet, the result of which shall be known as a randomized alphabet. **§ 13112**

The procedure shall be as follows: Each letter of the alphabet shall be written on a separate slip of paper, each of which will be folded and inserted into a capsule. Each capsule shall be opaque and of uniform weight, color, size, shape, and texture. The capsules shall be placed in a container, which shall be shaken vigorously in order to mix them thoroughly. The container then shall be opened and the capsules removed at random one at a time. As each is removed, it shall be opened and the letter on the slip of paper read aloud and written down. **§ 13112**

The resulting random order of letters constitutes the randomized alphabet, which is to be used in the same manner as the conventional alphabet in determining the order of all candidates in all elections. For example, if two candidates with the surnames Campbell and Carlson are running for the same office, their order on the ballot will depend on the order in which the letter M and R were drawn in the randomized alphabet drawing. The drawing shall be open to the public. A drawing will take place for each election date. **The date of the drawing for the Presidential Primary Election will be March 15, 2012, 11:00 a.m.** **§ 13112**

If the office is to be voted upon wholly within, but not throughout, one county, such as **Member of the Orange County Board of Supervisors, Member of the Orange County Board of Education or Member of the County Central Committee (except the Green Party Council)**, names shall appear according to the randomized alphabet. **§ 13111(f)**

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

If the office is that of **Member of the State Senate** or **Member of the Assembly**, and the district includes more than one county, the elections official in each county shall conduct a drawing of the letters of the alphabet, pursuant to the same procedures specified in section 13112. The results of the drawing shall be known as a county randomized ballot and shall be used only to arrange the names of the candidates when the district includes more than one county. The Secretary of State's random draw will not be used for multi-county districts. **The date of this drawing for the Presidential Primary Election will be March 15, 2012, 11:00 a.m.**

§ 13111(i)

ROTATION:

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

§ 13111(c)

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

§ 13111(d)

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

§ 13111(h)

CANDIDATE'S STATEMENT OF QUALIFICATIONS

NONPARTISAN OFFICES:

Each candidate for **nonpartisan elective office** in any local agency, including any city, county, city and county, or district, may prepare a Candidate's Statement of Qualifications on an appropriate form provided by the elections official. The statement may include the name, age and occupation of the candidate and a brief description, of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself/herself. However, the governing body of the local agency may authorize an increase in the limitations on words for the statement from 200 to 400 words. § 13307

The statement shall not include the party preference of the candidate, nor membership or activity in partisan political organizations. § 13307

All statements may be submitted on the form provided by the county elections official of each county in which the candidate wishes to have his/her statement printed. The candidate must sign the statement before it is filed in the office of the Registrar of Voters when his/her Nomination Papers are returned for filing, if it is for a Primary Election, or for an election for offices for which there is no Primary Election. § 13307

The statement shall be filed in the office of the elections official no later than the 88th day before the election, if it is for an election for which Nomination Papers are not required to be filed. Costs of providing statements to voters shall be paid by the candidates. The statement **may be withdrawn, but not changed**, during the period for filing Nomination Papers and until **5:00 p.m.** of the next working day after the close of the nomination period. § 13307

NOTE: In the event that the nomination period for a particular office is extended because an incumbent eligible to be elected did not file Nomination Papers, a Candidate's Statement of Qualifications for that particular office, filed by either candidates prior to the 88th day before the election or during the extended nomination period, **may be withdrawn, but not changed**, during the extended nomination period and until **5:00 p.m.** of the next working day after the close of the extended nomination period. § 13307

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

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

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

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

PARTY-NOMINATED/PARTISAN OFFICES:

Candidates for **Members of County Central Committees** cannot file a Candidate's Statement of Qualifications. A member of the State or County Central Committee of a political party, or an officer of a State or County Central Committee of a political party, are improper, as such positions **do not constitute elective County or State offices** as specified in section 13107(a)(1). **California Code of Regulations 20712, §13107**

VOTER-NOMINATED OFFICES:

State Legislative Candidates: Pursuant to Proposition 34 adopted by the voters in November of 2000, all candidates for **State elective offices (Member of the State Senate and Member of the State Assembly in the June 5, 2012 Presidential Primary Election)** as specified in Government Code section 82053 who have voluntarily agreed to expenditure limits may prepare a Candidate's Statement of Qualifications. **A candidate for State elective office who has not voluntarily agreed to expenditure limits will not be allowed to file a Candidate's Statement of Qualifications.**

Once the voluntary expenditure limits are accepted (or rejected), the spending-limits decision applies to both the Primary and General Elections. However, a state/statewide candidate who has not exceeded the voluntary spending limits may revoke and change his/her acceptance or rejection of the voluntary spending limits no more than two times after the initial filing of the Candidate Intention Form (Form 501), provided that the amendment to the filer's Form 501 is received by this office, before the deadline for filing the candidate's Nomination Papers.

Additionally, the law permits a state candidate to change his/her mind and accept the spending limits for the General Election, if an amended Form 501 is filed within 14 days following the Primary Election, indicating the candidate's intention to accept the spending limits in the General Election, provided that the filer has not exceeded the spending limits in the Primary Election.

NEW

At the top of a Candidate's Statement of Qualifications by a candidate for Member of the State Senate or Member of the Assembly (a voter-nominated office), the following may be included: The name, age, occupation, and party preference (party affiliation) of the candidate. The Candidate's Statement of Qualifications shall contain a brief description, of no more than 250 words of the candidate's education and qualifications (expressed by the candidate himself/herself). The name, age, occupation, and party preference at the top of the statement will not be included in the word count.

The statement must be filed no later than **5:00 p.m. on the 88th day** prior to the election, or in the event the nomination period has been extended, candidates filing their Nomination Papers during that period have until **5:00 p.m. on the 83rd day** prior to the election. All statements may be submitted on the form provided by the county elections official of each county in which the candidate wishes to have his/her statement printed. Costs of providing statements to voters shall be paid by the candidates.

Congressional Candidates: All candidates for the office of Representative in Congress may prepare a Candidate's Statement of Qualifications, not to exceed 250 words. The statement must be filed no later than **5:00 p.m. on the 88th day** prior to the election, or in the event the nomination period has been extended, candidates filing their Nomination Papers during that period have until **5:00 p.m. on the 83rd day** prior to the election,

whichever is applicable. All statements may be submitted on the form provided by the county elections official of each county in which the candidate wishes to have his/her statement printed. Costs of providing statements to voters shall be paid by the candidates. § 13307.5

Congressional candidates do not need to voluntarily agree to expenditure limits to prepare a Candidate's Statement of Qualifications. § 13307.5

NOTE: A candidate for Member of the United States Senate must file his/her Candidate's Statement of Qualifications with the Secretary of State. His/her statement will be published in the State Sample Ballot Pamphlet only.



At the top of a Candidate's Statement of Qualifications by a candidate for Representative in Congress (a voter-nominated office), the name, age, occupation, and party preference (party affiliation) of the candidate may be included. In addition, the candidate may give a brief description, of no more than 250 words, of his/her education and qualifications (expressed by the candidate himself/herself). The name, age, occupation, and party preference at the top of the statement will not be included in the word count.

VOTER-NOMINATED AND NONPARTISAN OFFICES:

IMPORTANT: A Candidate's Statement of Qualifications may make no reference to another candidate. In addition to the restrictions set forth in Section 13307, any Candidate's Statement of Qualifications submitted pursuant to Section 13307 shall be limited to a recitation of the candidate's own personal background and qualifications, and **shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities.** The elections official shall not cause to be printed or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited by this section. § 13308

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

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

The Registrar of Voters will estimate the total cost of printing and handling of the Candidate's Statement of Qualifications filed pursuant to this section, and will require each candidate having a statement to pay in advance his/her estimated pro rata share as a condition of having his/her statement included in the Sample Ballot Pamphlet. Payment may be made by cash, check, money order, certified check, and credit card (MasterCard, Visa, American Express, and Discover).

The candidate must also sign a Deposit Agreement at the time the statement is filed. A copy of the signed Deposit Agreement and signed statement will be given to the candidate. **The Registrar of Voters will determine the cost for each candidate and will refund any excess amount paid within 30 days of the election.** An invoice will be sent if any additional amount is required to be paid by the candidate.

If a candidate's contest does not appear on the ballot due to it being a contest whose candidates may be appointed in lieu of election if the number of candidates 70

nominated does not exceed the number of candidates to be elected from that district (for the June 5, 2012 Presidential Direct Primary Election -- Judge of the Superior Court and Member of the County Board of Education only), the Candidate's Statement of Qualifications payment will be refunded without the candidate requesting the refund.

In the event that a candidate pays for a statement by check and the check is returned by the bank due to insufficient funds, the candidate will have 24 hours to pay for the statement by cash, money order, certified check, and credit card (MasterCard, Visa, American Express, and Discover). If payment is not received by the deadline, the statement will not be printed in the Sample Ballot Pamphlet. **§ 13307**

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

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

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

For all Candidates' Statements of Qualifications filed on or before **March 9, 2012**, the public review period is **March 10, 2012 through March 19, 2012, 5:00 p.m.** For all Candidates' Statements of Qualifications filed during the extended filing period, the public inspection period is **March 15, 2012 through March 23, 2012*, 5:00 p.m.** at the Registrar of Voters' office and on its website, in conformance with Elections Code Section 13313.

**Per Elections Code section 15: Notwithstanding any other provision of law, if the last day for the performance of any act provided for or required by this code shall be a holiday, the act may be performed upon the next business day. Gov't Code section 6700 states: Saturdays are holidays only after 12:00 p.m. The express language of Elections Code section 15 refers to the "last day", meaning the whole day must be a holiday in order for the extension to apply. Since the deadline is a Saturday -- a half-day -- it is not considered a holiday. Therefore, there is no extension of time to the following Monday. The extended filing period deadline must be Friday, March 23, 2012, 5:00 p.m.*

IMPORTANT NOTICE TO CANDIDATES IN DISTRICTS THAT ENCOMPASS MORE THAN ONE COUNTY: All candidates running for office in a district located in more than

one county must file Nomination Papers with the county elections official where the candidate is domiciled. **HOWEVER**, if a candidate in a multi-county district would like his/her Candidate's Statement of Qualifications (if applicable) to be included in the Sample Ballot Pamphlet distributed in each county of the district, the statement **must** be filed in the office of each county's election official. In addition, the cost of printing and handling the Candidate's Statement of Qualifications in each county must be paid to each county elections official. If you desire a statement in Orange County's Sample Ballot Pamphlet, you **MUST** submit your statement and payment at the Orange County Registrar of Voters' office. The fee will vary in each county depending on many factors, including the number of registered voters within that portion of the district. **It is the candidate's responsibility to contact each county to obtain the appropriate information from each county. Failure to do so may jeopardize the printing of the Candidate's Statement of Qualifications.** (California Association of Clerks & Election Officials' Candidate Statement Guidelines)

CANDIDATES IN RUN-OFF CONTESTS IN THE GENERAL ELECTION may re-submit the same Candidate's Statement of Qualifications as printed in the Presidential Primary Election Sample Ballot Pamphlet or present a new statement. The statement accompanied by full payment must be submitted to the Registrar of Voters' office **NO LATER THAN AUGUST 10, 2012, 5:00 P.M. FOR THE GENERAL ELECTION.**

LEGISLATIVE CANDIDATES may re-submit the same Candidate's Statement of Qualifications as printed in the Presidential Primary Election Sample Ballot Pamphlet or present a new statement to the Registrar of Voters' office by **August 10, 2012, 5:00 p.m.** However, legislative candidates may purchase statement space in the pamphlet only if they have agreed to voluntary expenditure limits. If a candidate rejected the voluntary expenditure ceiling in the Presidential Primary Election but did not exceed the ceiling during that election, he/she may amend the Form 501 to accept the expenditure ceiling for the General Election. **The amended Form 501 must be filed within 14 days following the Presidential Primary Election – no later than June 19, 2012, 5:00 p.m.** (Proposition 34, California Form 501 Instructions)

CONGRESSIONAL CANDIDATES may re-submit the Candidate's Statement of Qualifications as printed in the Presidential Primary Election Sample Ballot Pamphlet or present a new statement to the Registrar of Voters' office by **August 10, 2012, 5:00 p.m.** **Congressional candidates do not need to meet the voluntary expenditure limits to file a Candidate's Statement of Qualifications.**

IMPORTANT: All candidates who wish to have a Candidate's Statement of Qualifications in the Sample Ballot Pamphlet must re-file the statement that was printed in the Presidential Primary Election Sample Ballot Pamphlet or submit a new statement. **The Registrar of Voters' office will not automatically print the old statement in the General Election Sample Ballot Pamphlet.** The cost must be paid at the time the old statement is re-filed or the new statement is submitted. **The cost is the same as that in the Presidential Primary Election.**

CANDIDATE'S STATEMENT OF QUALIFICATIONS FORMATTING GUIDELINES

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

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

INDENTED PARAGRAPHS:

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

BLOCK PARAGRAPHS:

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

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

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

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



3. NOTE: Name, age and occupation at the top of the statement are not included in the word count. In addition, for voter-nominated candidates, the party preference at the top of the statement will not be included in the word count if they desire to have it included in the statement. **The words reflected in the "occupation" field must follow the Ballot Designation Guidelines listed on pages 58 through 63 of this handbook.**

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

5. Words may NOT be all CAPITAL letters.

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

7. Do not use different type sizes. § 13307

8. A 200-word statement must fit on one quarter of a Sample Ballot Pamphlet page. A 250-word statement must fit on one quarter of a Sample Ballot Pamphlet page. A 400-word statement must fit on a half page of a Sample Ballot Pamphlet page. If your statement exceeds this limitation, we will be forced to adjust your format to fit in the space allowed.

9. You may block indent within a paragraph. However, you MAY NOT use bullet points, stars, asterisks, or numbers that function as bullet points to off-set the paragraphs.

10. All statements are printed in the Sample Ballot Pamphlet with the following titles which are not included in the word count:

**NAME OF DISTRICT
TITLE OF OFFICE**

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

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

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

| OFFICE | 200 words | 250 words | 400 words |
|--|------------------|------------------|------------------|
| 38 th Congressional District | N/A | \$645.00** | N/A |
| 39 th Congressional District | N/A | \$2,682.00** | N/A |
| 45 th Congressional District | N/A | \$4,263.00 | N/A |
| 46 th Congressional District | N/A | \$3,054.00 | N/A |
| 47 th Congressional District | N/A | \$1,982.00** | N/A |
| 48 th Congressional District | N/A | \$4,547.00 | N/A |
| 49 th Congressional District | N/A | \$1,446.00** | N/A |
| 29 th Senate District* | N/A | \$3,687.00** | N/A |
| 37 th Senate District* | N/A | \$5,506.00 | N/A |
| 55 th Assembly District* | N/A | \$1,684.00** | N/A |
| 65 th Assembly District* | N/A | \$2,619.00 | N/A |
| 68 th Assembly District* | N/A | \$2,852.00 | N/A |
| 69 th Assembly District* | N/A | \$2,077.00 | N/A |
| 72 nd Assembly District* | N/A | \$3,085.00 | N/A |
| 73 rd Assembly District* | N/A | \$3,115.00 | N/A |
| 74 th Assembly District* | N/A | \$3,189.00 | N/A |
| 1 st Supervisorial District | \$3,040.00 | N/A | \$5,752.00 |
| 3 rd Supervisorial District | \$3,471.00 | N/A | \$6,615.00 |
| Superior Court Judge | \$15,196.00 | N/A | \$30,064.00 |
| County Board of Education, Trustee Area 1 | \$2,807.00 | N/A | \$5,287.00 |
| County Board of Education, Trustee Area 3 | \$3,639.00 | N/A | \$6,950.00 |
| County Board of Education, Trustee Area 4 | \$3,033.00 | N/A | \$5,737.00 |

Any candidate needing information applicable to indigents should check with the election clerk.

***REMEMBER:** Only those State Legislative candidates who have voluntarily agreed to expenditures limits may prepare a Candidate's Statement of Qualifications, not to exceed 250 words.

**The District is shared by more than one county. This deposit amount is only for the Orange County portion. If a candidate desires to have his/her Candidate's Statement of Qualifications printed in another county's Sample Ballot Pamphlet, he/she must also file his/her statement and pay the deposit at that county's elections office. It is possible that the deposit amount may not be the same as Orange County's.

NOTE: Candidate's Statement of Qualifications' cost estimates are calculated using the following assumptions: Two candidates per contest, two 200 or 250 word statements per contest, and a 10% increase in voter registration prior to the printing of the sample ballots based on registered voter counts from November 8, 2011. **Since the actual costs are based on the actual number of candidates and length of statements, the above amounts are only an estimate. If more candidates prepare statements for the same office, the actual cost per candidate will be less than the deposit amount. If only**

one candidate prepares a statement for an office, the actual cost of the statement will be significantly higher.

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

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

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

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

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

The following are the guidelines for computing the word count:



The title of the office, name, district, age, and occupation lines are not included in the word count –only the text is counted. For voter-nominated offices, the party preference line is also not included in the word count.

Punctuation marks are not included in the word count.

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

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

Geographical names -- limited to cities, counties, and states.....one word
Examples: County of Orange, Orange County, San Juan Capistrano, City of Brea

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

Acronyms.....one word

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

Dates - all digits (4/8/98).....one word
Words and digits (April 8,1998).....two words

Whole numbers - Digits (1 or 10 or 100, etc.).....one word
Spelled out (one or ten or one hundred).....each word counts as one word

Names of persons and things.....each word counts as one word
Gus Enright (two words); L.A. Basketball Team (three words)

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

Monetary amounts (if the dollar sign is used with figures - \$1,000).....one word
Spelled out (one thousand dollars).....each word counts as one word

Telephone/fax numbers.....one word

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

If the text exceeds the word limit, the candidate must delete or change a sufficient number of words, or a sentence, to put the statement within the required word limit before the statement is filed. The candidate should correct any misspellings before the statement is filed. **Other than formatting requirements, your statement will be printed as filed.**

The submitted statement must be typed. No word will be printed in "ALL CAPS", bolding or underlining. Do not use bullet points, stars, asterisks, or numbers that function as bullet points to block-indent paragraphs. However, you may block-indent within the paragraph without using bullets, etc. See “Candidate’s Statement Formatting Guidelines” for more information. The scanning equipment used by the Registrar of Voters’ office to produce camera ready copy for Sample Ballot Pamphlet printing has some limitations; therefore, the style of a Candidate's Statement of Qualifications must conform to the sample you are given.

The Candidate's Statement of Qualifications may make no reference to another candidate. The statement may include a description of the candidate's education and qualifications expressed by the candidate himself/herself.

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

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

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

NOTE: A nomination period may be extended because an incumbent, eligible to be elected, failed to file a Declaration of Candidacy. Candidates' Statements of Qualifications for that particular office filed by either candidates prior to the 88th day before the election or during the extended period, may be withdrawn, but not changed, until **March 15, 2012, 5:00 p.m.**

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

MAR 24 1998

Stephen M. Kelly, Clerk

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

JOHN F. DEAN,

Petitioner,

v.

THE SUPERIOR COURT OF
ORANGE COUNTY,

Respondent,

ROSALYN LEVER et al.,

Real Parties in Interest.

G023111

(Super. Ct. No. 791765)

OPINION

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

Darryl R. Wold and Reed & Davidson for Petitioner.

No appearance for Respondent.

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

No appearance for Real Party in Interest Rosalyn Lever.

COPY EXHIBIT

* * *

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

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

Dean challenged Opp's candidate statement by seeking a writ of mandate in the superior court pursuant to Elections Code section 13313.² That section authorizes the court to mandate amendment or deletion of material in the voter's pamphlet which is "false, misleading, or inconsistent with the requirements of this chapter,"

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

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

² All further references are to the Elections Code unless otherwise noted.

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

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

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

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

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

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

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

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

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

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

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

SILLS, P. J.

WE CONCUR:

WALLIN, J.

RYLAARSDAM, J.

WRITE-IN CANDIDATES



A person's name may only be written on the ballot as a write-in candidate for a voter-nominated office at the Presidential Primary Election.

§ 8606

A person's name may be written on the ballot as a write-in candidate for party-nominated/partisan and nonpartisan offices at the Presidential Primary Election and the General Election.

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

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

- (1) Candidate's name;
- (2) Residence address, with street and number, if any;
- (3) A declaration stating that he/she is a write-in candidate;
- (4) The title of the office for which he/she is running;
- (5) The party nomination for which he/she seeks, if running for a party-nominated/partisan office. A candidate need **not** be registered with the party whose nomination he/she is seeking. For voter-nominated offices, the party nomination is not required;
- (6) For voter-nominated offices, the candidate's 10-year political party preference history; and
- (7) The date of the election.



§ 8600

(b) The requisite number of signatures on the Nomination Papers, if any. § 8600

The Statement of Write-in Candidacy form and Nomination Papers shall be available from the Registrar of Voters' office on **April 9, 2012**. The Statement of Write-in Candidacy and Nomination Papers shall be delivered to the elections official responsible for the conduction of the election no later than the 14th day prior to the election, **May 22, 2012, 5:00 p.m.**

§ 8601

The required number of signers to a write-in candidate's Nomination Paper for the respective offices are as follows:

- Member of the United States Senate: Not less than 65 nor more than 100;
- Representative in Congress, Member of the State Senate, and Member of the State Assembly: Not less than 40 nor more than 60;
- Judge of the Superior Court, Member of the County Board of Education, and Member of the County Board of Supervisors: Not less than 20 nor more than 40.

§ 8602



Signers of Nomination Papers for write-in candidates shall be voters in the district or political subdivision in which the candidate is to be voted on. In addition, if the candidate is seeking a party nomination for an office (party-nominated/partisan offices only), the signers shall also be affiliated with the party whose nomination is sought. If the candidate is running for a voter-nominated office, the signers do not need to be affiliated with the party of the candidate.

§ 8603

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

§ 8604

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

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

§ 8605

NEW

Write-in candidates for voter-nominated offices can only run in the Presidential Primary Election. A write-in candidate from the Primary Election is eligible to have his/her name on the ballot in the General Election only if that candidate is one of the top-two vote getters at the Presidential Primary Election.

§ 8605

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

| <u>PRIMARY ELECTION</u> | | |
|--------------------------|-------------------------------|---------------------------------------|
| <u>TYPE OF STATEMENT</u> | <u>PERIOD COVERED</u> | <u>FILING DEADLINE</u> |
| SEMI-ANNUAL | JULY 1-- DECEMBER 31, 2011 | JANUARY 31, 2012 |
| 1ST PRE-ELECTION | **JANUARY 1 – MARCH 17, 2012 | MARCH 22, 2012 |
| 2ND PRE-ELECTION | MARCH 18 – MAY 19, 2012 | MAY 24, 2012 |
| LATE CONTRIBUTION | MAY 20 – JUNE 4, 2012 | WITHIN 24 HOURS OF RECEIPT OF \$1,000 |
| SEMI-ANNUAL | MAY 20, 2012 – JUNE 30, 2012 | JULY 31, 2012 |
| <u>GENERAL ELECTION</u> | | |
| SEMI-ANNUAL | JANUARY 1 – JUNE 30, 2012 | JULY 31, 2012 |
| 1ST PRE-ELECTION | JULY 1 – SEPTEMBER 30, 2012 | OCTOBER 5, 2012 |
| 2ND PRE-ELECTION | OCTOBER 1 - OCTOBER 20, 2012 | OCTOBER 25, 2012 |
| LATE CONTRIBUTION | OCTOBER 21 - NOVEMBER 5, 2012 | WITHIN 24 HOURS OF RECEIPT OF \$1,000 |
| SEMI-ANNUAL | OCTOBER 21- DECEMBER 31, 2012 | JANUARY 31, 2013 |

NOTE: For the Presidential Primary Election, candidates for Orange County Board of Supervisors must also submit a post-filing by **June 20, 2012**, covering the period May 20, 2012 through June 15, 2012. The mid-year semi-annual report, filed by July 31, 2012, will cover the period of June 16, 2012 through June 30, 2012 for these candidates.

NOTE: If the contest is in a run-off at the General Election, candidates for Orange County Board of Supervisors must also submit a post filing by November 21, 2012, covering the period of October 21, 2012 through November 16, 2012. The semi-annual report filed by January 31, 2013, will cover the period November 17, 2012 through December 31, 2012.

**The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1 if no previous statement has been filed.

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

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

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

For technical questions regarding completion of campaign disclosure forms, please contact:

Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, California 95814
1-866-275-3772; www.fppc.ca.gov

ALL CANDIDATES ARE REQUIRED TO FILE CAMPAIGN DISCLOSURE STATEMENTS

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

Any individual who intends to be a candidate for elective office shall file a Candidate Intention Statement (Form 501) for the specific office sought. A separate Form 501 must be filed for each election, including re-election to the same office. This statement shall be signed under penalty of perjury and filed prior to the solicitation or receipt of any contribution or loan, including expenditures made from personal funds used for campaign purposes.

Gov't. Code § 85200

If you plan on spending one thousand dollars (\$1,000) or more in a calendar year, you will receive a campaign reporting kit when you file for office. The kit contains all the necessary forms and instructions for filing your required campaign disclosure statements. A Statement of Organization-Recipient Committee (Form 410) shall be filed with the Secretary of State's Political Reform Division within 10 days of qualifying as a committee by receiving contributions totaling \$1,000 or more in a calendar year.

Gov't. Code §§ 82013(a), 84101

If you plan on spending less than one thousand dollars (\$1,000) in a calendar year, you will receive a form 470 (short form) when you file for office. Every candidate or officeholder who has filed a short form and who thereafter receives contributions or makes expenditures totaling one thousand dollars (\$1,000) or more in a calendar year, shall send written notification to the Secretary of State, the local filing officer, and each candidate contending for the same office within 48 hours of receiving or expending a total of one thousand dollars (\$1,000). The written notification shall revoke the previously filed short form statement. For additional filing obligations, refer to Manual 1 for State office candidates or Manual 2 for local office candidates.

Gov't. Code § 84206

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

ELECTRONIC FILING

An electronic filing system is now available for you to file your Campaign Disclosure Statements. The system is a web-based data entry filing system. It allows candidates and campaign committees to submit disclosure reports as mandated by the California Political Reform Act. **This system is available free of charge.**

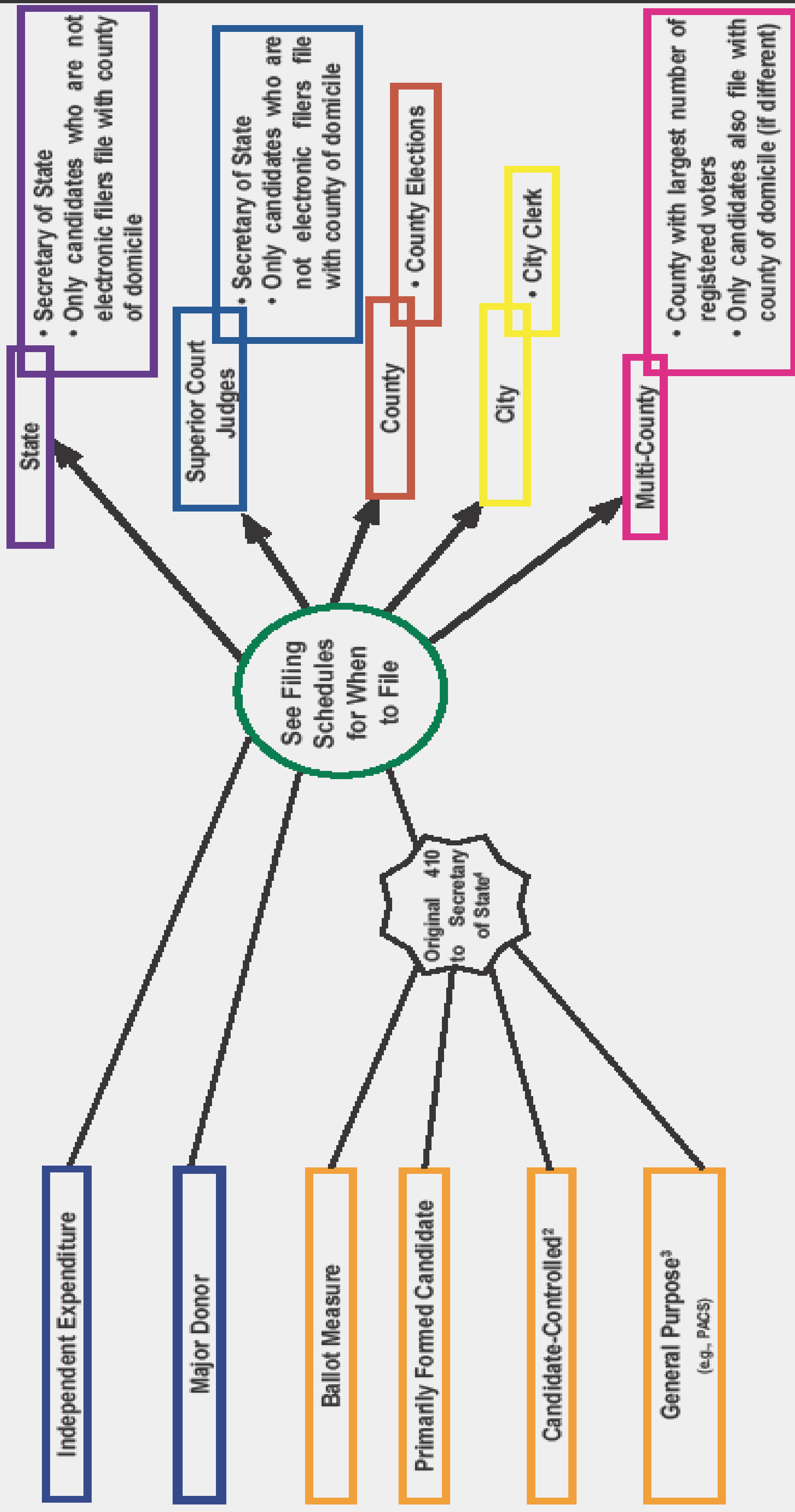
State Legislative Candidates: All candidates for legislative offices who raise or spend \$50,000 or more must file their contribution and expenditure disclosure statements electronically and on paper. Log-on instructions and approved electronic filing vendors are posted on the Political Reform Division's page on the Secretary of State's website at www.sos.ca.gov/prd/prd.htm.

County Candidates and Officers: Section 1-6-32 of the Orange County Campaign Reform Ordinance adopted by the Orange County Board of Supervisors in October of 2008, requires elected County candidates and officers and their committees who must file campaign disclosure statements or reports with the Orange County Registrar of Voters and who receive contributions or loans totaling more than \$25,000 to file their statements and reports electronically and on paper with the Registrar of Voters. This section applies to the following County offices and candidates for those offices: County Supervisor, Sheriff-Coroner, District Attorney, Assessor, Treasurer-Tax Collector, County Clerk-Recorder, Auditor, Public Administrator, and County Superintendent of Schools. To use this system, call (714) 567-7558 to receive your user name and password. Then, you may access the system at www.ocvote.com/efile. A user's guide is available on the site.

Other Candidates: While the County ordinance only requires the offices mentioned above to file electronically, the system is available to anyone required to file campaign finance disclosure documents with the Registrar of Voters' office. If you wish to electronically file your campaign finance disclosure documents, let the Registrar of Voters' office know of your desire to do so by calling (714)567-7558. You will receive your user name and password.

The minimum system requirements include: Any computer with internet access; web browser software such as Internet Explorer (6+), Mozilla Firefox (1+), Netscape (7+), etc. with JavaScript enabled; a compression utility such as WinZip or Stuffit Expander (Windows XP can open zip files without this software); and PDF reader such as Adobe Reader or Foxit Reader. Web browsers, compression utilities and PDF are available free of charge.

Where to File Campaign Reports¹



1 This flow chart represents the filing locations for Forms 410, 425, 450, 460 and 461. See instructions for filing locations of other campaign forms.
 2 Cross-filing may be required for candidates controlling more than one committee.
 3 Manual under review, pending publication.
 4 Local committees must also file a copy of the Form 410 with the local filing officer.

www.fppc.ca.gov
 866.275.3772 or 916.322.5660
 FPPC TAD • 025 09-2011

California Fair Political Practices Commission

Where to File Campaign Reports

Filing campaign reports is easy!

- The Secretary of State receives each committee's incorporation form, Form 410.
- The Filing Officer of the jurisdiction where the committee spends money receives the standard campaign disclosure statements (Forms 425, 450 or 460).
- The FPPC provides free assistance on how to complete forms, but file the forms as indicated below.

State Elected officials, candidates (including Supreme Court justices, appellate court justices, and superior court judges), and all other state committees file with:

- Secretary of State's Office
- Election office in the county of domicile – *Only applies to state candidate controlled committees that are not E-filers.*

Multi-County Elected officials, candidates, and all other committees in jurisdictions that contain parts of two or more counties file with:

- Election office in the county with the largest number of registered voters.
- Election office in the county of domicile - *Only applies to multi-county candidate controlled committees, if different from the county with the largest number of registered voters.*

County Elected officials, candidates, and all other committees in a single county file with:

- Election office

City Elected officials, candidates, and all committees in a single city file with:

- City Clerk - *This includes elections that may be conducted by the county, but the voting jurisdiction is within a single city.*

www.fppc.ca.gov
1.866.275-3772 or 916.322.5660
FPPC TAD • 025 09-2011

CODE OF FAIR CAMPAIGN PRACTICES

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

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

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

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

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

STATEMENT OF ECONOMIC INTERESTS - FORM 700

Candidates for Member of the State Senate, Member of the Assembly, Superior Court Judge, and Member of the Board of Supervisors must file a Statement of Economic Interests (Form 700) before or at the same time as the filing of his/her Declaration of Candidacy or no later than March 9, 2012.

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

This article is applicable to elected state officers, Judges and Commissioners of courts of the Judicial Branch of government, Members of the Public Utilities Commission, Members of the State Energy Resources Conservation and Development Commission, Members of the Fair Political Practices Commission, Members of the California Coastal Commission, Members of planning commissions, Members of the Board of Supervisors, District Attorneys, County Counsels, County Treasurers and Chief Administrative Officers of counties, Mayors, City Managers, City Attorneys, City Treasurers, and Chief Administrative Officers and Members of City Councils of cities, other public officials who manage public investments, and to candidates for any of these offices at any election.

Gov't. Code § 87200

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

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

Gov't. Code § 87201

FILING DATE

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

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

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

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

Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, California 95814
1-866-askfppc

POLITICAL ADVERTISEMENT REQUIREMENTS

Any paid political advertisement which refers to an election or to any candidate for state or local elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement". The words shall be set apart from any other printed matter.

As used in this section "paid political advertisement" shall mean and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office. **§ 20008**

SIMULATED BALLOT REQUIREMENTS

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

NOTICE TO VOTERS (Required by law)

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

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

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

No simulated ballot or simulated sample ballot shall bear any official seal or the insignia of any public entity, nor shall that seal or insignia appear upon the envelope in which it is mailed or otherwise delivered.

The Superior Court, in any case brought before it by any registered voter, may issue a temporary or permanent restraining order or injunction against the publication, printing, circulation, posting, or distribution of any matter in violation of this section, and all cases of this nature shall be in a preferred position for purposes of trial and appeal, so as to assure the speedy disposition thereof. **§ 20009**

ELECTION DAY - POLL WATCHING GUIDELINES

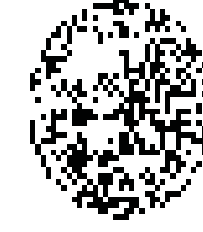
The election process is a public event and anyone who wishes may observe. However, the vote of the individual citizen is secret, and no one may interfere with a voter's right to cast a secret ballot. Members of the precinct boards are sworn election officials of the County of Orange and have complete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

- Poll watchers may not interfere in any way with the conduct of the election or with the vote count following the close of the polls. Any person who interferes with the election or with a voter is punishable by imprisonment in the state prison for sixteen months or two or three years. **§ 18502**
- The election must be orderly. Do not talk in a loud voice, cause confusion, or congregate inside the polls. Do not ask to use the telephone or other facilities.
- The area between the official table and the voting booths is for voters only and may not be used as an observer post. **§ 14221**
- Poll watchers may not sit at the official table or handle any of the official voting equipment, supplies, or ballots. **§ 14223**
- Poll watchers may not wear candidate badges, discuss candidates, and/or how a voter voted, or bring any campaign material into the polling place. This constitutes electioneering and is illegal. Electioneering may not be conducted within 100 feet of a polling place. The term "100 feet of a polling place" means a distance of 100 feet from the room or rooms in which voters are signing the pink Combined Roster-Index and casting ballots. The blue "POLLING PLACE 100" signs which are posted outside, indicate the 100 foot boundary for electioneering. Violation of this section is a misdemeanor. **§ 18370**
- No one may be within 100 feet of a polling place while wearing a firearm or a peace officer or security guard uniform except: (1) An unarmed uniformed guard or security personnel who is at the polling place to cast his/her vote; (2) A peace officer who is conducting official business in the course of his/her public employment or who is at the polling place to cast his/her vote; (3) A private guard or security personnel hired or arranged for by a city or county elections official; (4) A private guard or security personnel hired or arranged for by the owner or manager of the facility or property in which the polling place is located if the guard or security personnel is not hired or arranged solely for the day on which an election is held. **§ 18544**
- The Precinct Board will attempt to respond to any reasonable, lawful requests from observers. The Registrar of Voters' office has instructed Precinct Officers to ask unruly poll watchers to leave, and to ask for assistance from the local law enforcement agency, if necessary.

ELECTION NIGHT RESULTS

Orange County uses a central location for tallying votes. All ballots are tabulated in the Registrar of Voters' Tally Center located at 1300 S. Grand Ave., Building C, Santa Ana. The vote counting procedure is open to public viewing. Unofficial results are available throughout the evening of the election in the Registrar of Voters' office beginning at approximately 8:05 p.m. and continuing until all precinct ballots have been tallied. Results may also be obtained by calling the Registrar of Voters' office at (714) 567-7600 or by visiting our web site ocvote.com).

DEPARTMENT OF TRANSPORTATION
DIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM



STATEMENT OF RESPONSIBILITY FOR TEMPORARY POLITICAL SIGNS

Election Date: _____ June _____ November _____ Other: _____

Candidate's Name: _____

Office sought or Proposition Number: _____

County where sign(s) will be placed: _____

Number of signs to be placed: _____

RESPONSIBLE PARTY:

Name: _____

Address: _____

Phone Number (Include Area Code) _____

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

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

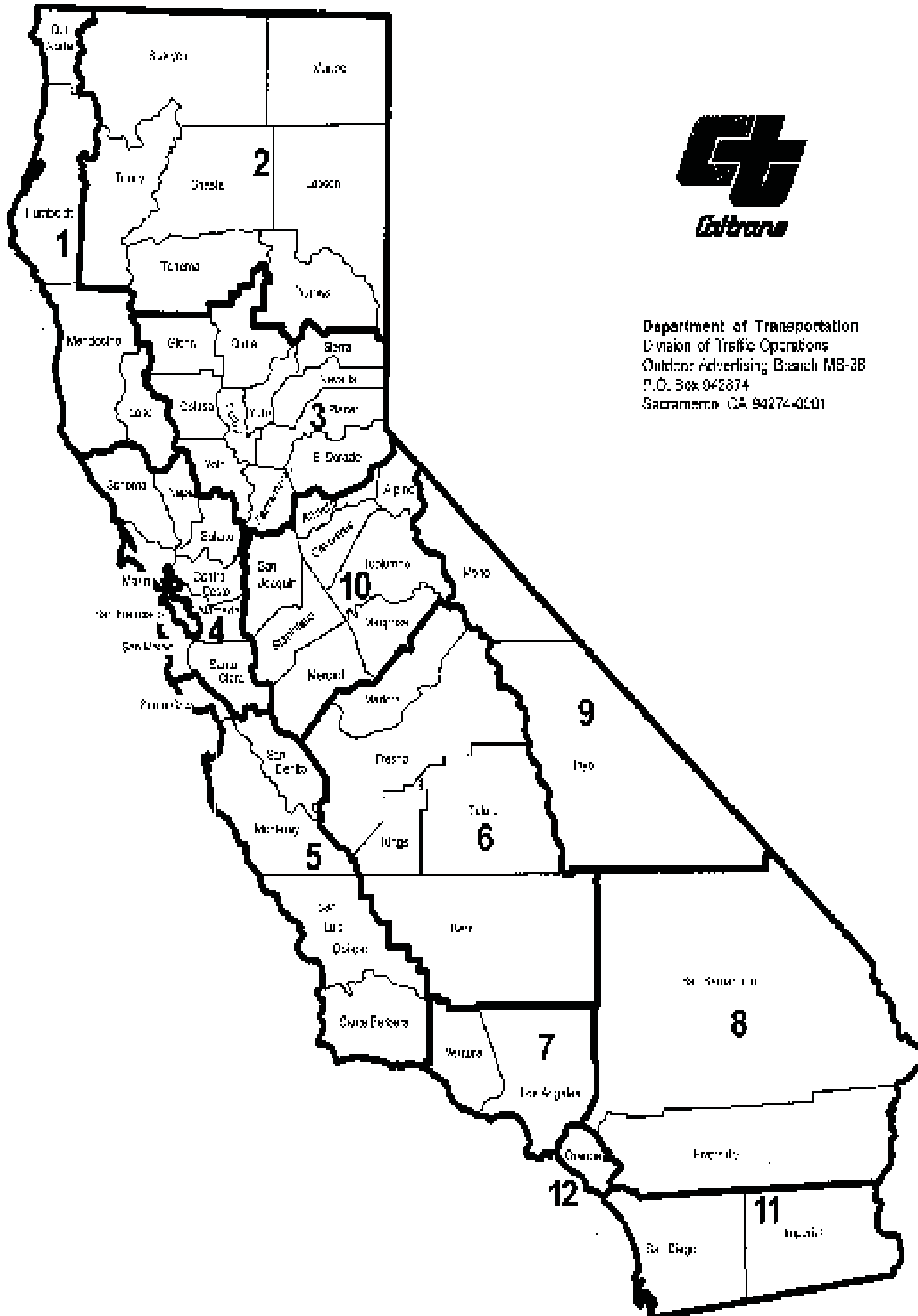
SIGNATURE OF RESPONSIBLE PARTY

DATE

Mail Statement of Responsibility to:

Division of Traffic Operations
Outdoor Advertising Program
P.O. Box 942874, MS-36
Sacramento, CA 94274-0001

OUTDOOR ADVERTISING DISPLAY PERMIT APPLICATION



Department of Transportation
Division of Traffic Operations
Outdoor Advertising Branch MS-35
P.O. Box 942874
Sacramento, CA 94274-0601

JANUARY 2011

PENAL PROVISIONS

- (a) The Legislature finds and declares that the voters of California are entitled to accurate representations in materials that are directed to them in efforts to influence how they vote.
- (b) No person shall publish or cause to be published, with intent to deceive, any campaign advertisement containing a signature that the person knows to be unauthorized.
- (c) For purposes of this section, "campaign advertisement" means any communication directed to voters by means of a mass mailing as defined in Section 82041.5 of the Government Code, a paid television, radio, or newspaper advertisement, an outdoor advertisement, or any other printed matter, if the expenditures for that communication are required to be reported by Chapter 4 (commencing with Section 84100) of Title 9 of the Government Code.
- (d) For purposes of this section, an authorization to use a signature shall be oral or written.
- (e) Nothing in this section shall be construed to prohibit a person from publishing or causing to be published a reproduction of all or part of a document containing an actual or authorized signature, provided that the signature so reproduced shall not, with the intent to deceive, be incorporated into another document in a manner that falsely suggests that the person whose signature is reproduced has signed the other document.
- (f) Any knowing or willful violation of this section is a public offense punishable by imprisonment in the state prison or in a county jail, or by a fine not to exceed fifty thousand dollars (\$50,000), or by both that fine and imprisonment.
- (g) As used in this section, "signature" means either of the following:
 - (1) A handwritten or mechanical signature, or a copy thereof.
 - (2) Any representation of a person's name, including, but not limited to, a printed or typewritten representation, that serves the same purpose as a handwritten or mechanical signature. **Penal Code § 115.1**

Every person who subscribes to any nomination petition a fictitious name, or who intentionally subscribes thereto the name of another, or who causes another to subscribe such a name to such a petition, is guilty of a felony and is punishable by imprisonment in the state prison for sixteen months or two or three years. **§ 18200**

Any person who falsely makes or fraudulently defaces or destroys all or any part of a Nomination Paper, is punishable by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment in the state prison for sixteen months or two or three years or by both such fine and imprisonment. **§ 18201**

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

PENAL PROVISIONS
(Continued)

Any person who files or submits for filing a Nomination Paper or Declaration of Candidacy knowing that it or any part of it has been made falsely is punishable by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment in the state prison for sixteen months or two or three years or by both such fine and imprisonment. **§ 18203**

Any person who willfully suppresses all or any part of a Nomination Paper or Declaration of Candidacy either before or after filing is punishable by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment in the state prison for sixteen months or two or three years or by both such fine and imprisonment. **§ 18204**

A person shall not directly or through any other person advance, pay, solicit, or receive or cause to be advanced, paid, solicited, or received any money or other valuable consideration to or for the use of any person in order to induce a person not to become or to withdraw as a candidate for public office. Violation of this section shall be punishable by imprisonment in the state prison for sixteen months or two or three years. **§ 18205**

Any candidate in an election or incumbent in a recall election who knowingly makes a false statement of a material fact in a Candidate's Statement of Qualifications, prepared pursuant to sections 11327 or 13307, with the intent to mislead the voters in connection with his/her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed one thousand dollars (\$1,000) **§ 18351**

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

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

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

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

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

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

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

§ 18371

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

Gov't. Code § 3205.5

SERVICES TO CANDIDATES

MAPS

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

REGISTRATION FORMS

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

COMPUTER PRODUCTS

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

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

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

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

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

VOTE-BY-MAIL BALLOT APPLICATIONS

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

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

IMPORTANT TELEPHONE NUMBERS/WEBSITES

ORANGE COUNTY REGISTRAR OF VOTERS

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

OFFICE OF THE SECRETARY OF STATE

| | |
|--|--|
| ELECTIONS DIVISION | (916) 657-2166 |
| FAX (General Information, Filing for State/Federal Offices) | (916) 653-3214 |
| WEBSITE | sos.ca.gov |
| POLITICAL REFORM DIVISION (Mon - Fri, 8-5) (Committee ID Number, Termination) | (916) 653-6224 |
| FAX | (916) 653-5045 |

FAIR POLITICAL PRACTICES COMMISSION

| | |
|---|--|
| TECHNICAL ASSISTANCE DIVISION (Mon -Thurs, 9 - 4) | (866) 275-3772 |
| FAX (Campaign Disclosure, State Contribution Limits, Conflict of Interest Disclosure) | |
| WEBSITE | fppc.ca.gov |
| ENFORCEMENT DIVISION (File Complaint under Political Reform Act) | (916) 322-5660 |

STATE FRANCHISE TAX BOARD (Mon - Fri, 7-5)

| | |
|--|--|
| AUTOMATED INFORMATION (Committee Tax Status, Tax Deductible Contributions Charitable Non-Profit Groups, General Information) | (800) 852-5711 (800) 338-0505 |
| WEBSITE | ftb.ca.gov |
| CA RELAY SERVICE -- TDD | (800) 822-6268 |

FEDERAL ELECTION COMMISSION

| | |
|---|--|
| (Federal Campaign Disclosure, Contributions from National Banks, National Corporations, Foreign Nationals) | (800) 424-9530 |
| WEBSITE | www.fec.gov/ |