



**SAN BENITO COUNTY
DEPARTMENT OF ELECTIONS**



Candidate Handbook
STATEWIDE DIRECT PRIMARY
ELECTION
June 5, 2018



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Ammended February 20, 2018

NOTICE

This handbook is intended to provide general information concerning the nomination and election of candidates, and does not have the force and effect of law, regulation, or rule.

It is distributed with the understanding that neither the Secretary of State nor the Department of Elections (Elections Official) is rendering legal advice, and, therefore, this information is not to be a substitute for legal counsel for the individual, organization, or candidate using it.

No duty is imposed upon the Department of Elections (Elections Official) to determine whether a candidate meets the requirements for holding office. The Declaration of Candidacy, which each candidate must sign under penalty of perjury, states that the candidate meets the statutory and/or constitutional qualifications for office (including, but not limited to, citizenship, residency, etc.).

In the case of a conflict or amendments to law, the law, regulation, or rule that takes effect after publication of this document, the law, regulation or rule will apply.

For the most up-to-date copy of this handbook, please go to the San Benito Department of Elections website at:

<http://sbcvote.us/registrar-of-voters/candidate-info/> .

NOTE: Unless otherwise indicated, all code section references are to the California Elections Code.



JOE PAUL GONZALEZ



County of San Benito

CLERK-AUDITOR-RECORDER
Registrar of Voters

A MESSAGE FROM JOE PAUL GONZALEZ

This handbook has been prepared to assist candidates in preparing for the upcoming 2018 Statewide Direct Primary.

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

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

We hope you find this Candidate's Handbook useful. For additional election-related information, feel free to contact the office Monday through Friday 8 a.m. to 5 p.m., except holidays.

Good luck and wishing you the best.

Sincerely,

Joe Paul Gonzalez

*County Clerk, Auditor & Recorder
Registrar of Voters*

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SECTION 1:
OFFICES UP
FOR
ELECTION
ON
JUNE 5, 2018

VOTER NOMINATED OFFICES

OFFICES ON THE JUNE 5, 2018 BALLOT

Below are offices which will appear on the ballot for the June 5, 2018, Statewide Direct Primary:

Voter-Nominated Offices

Office	Incumbent	Jurisdiction	Term	Qualifications
Governor	Jerry Brown (D) * <i>Termed Out</i>	Statewide	4 years, commencing Jan 7, 2019	Citizen of the United States, resident of California, registered voter, and otherwise qualified to vote for that office. ¹ (EC §§ 20 , 201 ; Gov. Code § 1097 ; Cal. Const., art V, §§ 2 , 9 & 11)
Lieutenant Governor	Gavin Newsom (D) * <i>Termed Out</i>	Statewide		
Secretary of State	Alex Padilla (D)	Statewide	4 years commencing Jan 7, 2019	Citizen of the United States, resident of California, registered voter, and otherwise qualified to vote for that office. ¹ (EC §§ 20 , 201 ; Gov. Code § 1097 ; Cal. Const., art V, §§ 2 , 9 & 11)
Controller	Betty T. Yee (D)	Statewide		
Treasurer	John Chiang (D)	Statewide		
Attorney General	Xavier Bacerra (D)	Statewide	4 years commencing Jan 7, 2019	Citizen of the United States resident of California, registered voter, and otherwise qualified to vote for that office. Shall have been admitted to practice before the Supreme Court of California for at least five years immediately preceding the election. ¹ (EC §§ 20 , 201 ; Gov. Code §§ 1097 , 12503 ; Cal. Const., art V, § 11)
Insurance Commissioner	Dave Jones (D)	Statewide	4 years commencing Jan 7, 2019	Citizen of the United States, resident of California, registered voter, and otherwise qualified to vote for that office. During tenure of office, may not be an officer, agent or employee of an insurer or directly or indirectly interested in any insurer or licensee under the California Insurance Code, except (a) as a policyholder, or (b) by virtue of relationship by blood or marriage to any person interested in any insurer or licensee. ¹ (EC §§ 20 , 201 ; Gov. Code § 1097 ; Ins. Code §§ 12900 , 12901)

Voter-Nominated Offices (cont...)

Member, State Board of Equalization	Fiona Ma (D)	District 2	4 years, commencing Jan 7, 2019	Citizen of the United State, resident of the district, registered voter, and otherwise qualified to vote for that office. ¹ (EC §§ 20 , 201 ; Gov. Code § 1097 ; Cal. Const. art. V , § 2 & XIII , § 17)
U.S. Senate	Dianne Feinstein (D)	Federal	6 years, commencing Jan 3, 2019 (noon)	At least 30 years old, U.S. citizen for at least 9 years, and inhabitant of the state when elected. (U.S. Const., Art. I , §,; 20th Amend. , § 1)
U.S. Representative in Congress	Jimmy Panetta (D)	20 th District	2 years, commencing Jan 5, 2019	At least 25 years old, U.S. citizen for at least 7 years, and a resident of the state when elected. (U.S. Const., Art. 1 , 2; 20th Amend. , § 1)
State Senate Ammended 1/10/2018	Anthony Cannella (R) <i>*Termed out</i>	12 th District	4 years, commencing Jan 7, 2019	Citizen of the United States, resident of California, registered voter in the district at the time nomination papers are issued. Members of the Senate who were elected before 2012 may not serve more than 8 years in the Senate. Those elected after 2012 may not serve more than 12 years in the senate or 12 years combined in the Senate and Assembly. (§§ 20 , 201 ; Cal. Const., Art. IV , § 2)
Member of State Assembly	Anna Caballero (D) <i>*Termed out</i>	30 th District	2 years, commencing Dec 7, 2018	Citizen of the United States, resident of California, registered voter, and otherwise qualified to vote for that office. Members of the Assembly who were elected before June 2012 may not serve more than 3 terms in the State Assembly; for all others, may not serve more than 12 years in the Senate, the Assembly, or both, in any combination of terms. May not have been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes. (§§ 20 , 201 ; Cal. Const., Art. IV , § 2)
Superintendent of Public Instruction	Tom Torlakson <i>*Termed Out</i>	Statewide	4 years, commencing Jan 7, 2019	Citizen of the United States, resident of California, and registered voter at the time nomination papers are issued. ¹ (EC §§ 20 , 201 ; Gov. Code § 1097 ; Cal. Const. art. IX , § 2)

NON-PARTISAN OFFICES

County Offices

Office	Incumbent	Jurisdiction	Term	Qualifications
Superior Court Judge, No. 1	Steven R. Sanders	Countywide	6 years, commencing Jan 7, 2019	U.S. citizen, registered voter of the state, member of the State Bar for 10 years or have served as a judge of a California court of record for 10 years immediately preceding the election. DOCUMENTATION REQUIRED. (Elec. Code § 13 , 13.5 , CA Const., Art. VI, § 15 & 16)
Superior Court Judge, No. 2	Harry J. Tobias	Countywide		
Superintendent of Schools	Krystal Lomanto	Countywide	4 years, commencing 1/7/2019	Qualifications See Page 12
Board of Supervisor (Dist. 3)	Robert Rivas	3rd District	4 years, commencing Jan 7, 2019	U.S. citizen, registered voter of the district which the candidate seeks to represent for at least 30 days preceding the deadline for filing nomination documents for the office. Must reside in the district during incumbency. (Gov. Code § 24001 , 24200 , 25041)
Board of Supervisor (Dist. 4)	Jerry Muenzer	4th District		
Assessor	Tom Slavich	Countywide	4 years, commencing Jan 7, 2019	Qualifications See Page 12
County Clerk/Auditor/Recorder	Joe Paul Gonzalez	Countywide		Qualifications See Page 13
District Attorney	Candice Hooper Mancino	Countywide		Qualifications See Page 13
Sheriff/Coroner	Darren Thompson	Countywide		Qualifications See Page 14
Treasurer/Tax Collector/PA	Mary Lou Andrade	Countywide		Qualifications See Page 14

Refer to [“Excerpts from Election Code & Government Code”](#) at the end of this Section for additional candidate qualification requirements and the Secretary of State’s Election Guide <http://www.sos.ca.gov/elections/upcoming-elections/statewide-direct-primary-june-5-2018/>

¹ Article IV, Section 2 (c), of the California Constitution requires one year residency in the legislative district and three years of residency in California, based upon a 1976 Secretary of State Opinion (No. 76, 2-4-76) and a 1979 Attorney General Opinion (62 Op. Atty. Gen. 365), these provisions violate the U.S. Constitution and are unenforceable.

Excerpts from Election Code & Government Code

California Top-Two Primary requires that only the two candidates for voter-nominated offices who receive the highest and second-highest number of votes cast at the primary shall appear on the ballot as candidates at the ensuing General Election.

§8141.5

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

A person is disqualified from holding any office upon conviction of designated crimes specified in the Constitution and laws of the State.

Gov. Code §1021

A person is not eligible to a county or district office unless he or 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. Code §24001

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)

The nomination petition shall be delivered to the elections official of the county in which the signer resides and is a voter.

§8063, 8041

The Declaration of Candidacy must be delivered to the county elections official of the candidate's county of residence. However, a candidate running for the office of U.S. Representative in Congress, who does not reside in the district where seeking office, can obtain the Declaration of Candidacy form and deliver it to the county elections official in any county within the district where the candidate is seeking office.

§8040, 8064

No candidate whose declaration of candidacy has been filed for any Primary Election may withdraw as a candidate at that Primary Election.

§8800

No candidate nominated at any primary election may withdraw as a candidate at the ensuing general election except those candidates permitted to withdraw by Part 4 of Chapter 3/Division 8.

§8800-8811

QUALIFICATIONS FOR COUNTY OFFICES

Countywide Offices require that a “**Declaration of Qualifications**” be submitted with the “Declaration of Candidacy” to legally qualify each candidate for the office per county ordinance. Candidates are required to execute a “Declaration of Qualification” with copies of one or more of the following documents to verify each candidate meets the qualifications:

- Certificates Diplomas/Degrees Official Correspondence (Example: Transcripts)
-

SUPERINTENDENT OF SCHOOLS - QUALIFICATIONS

The requirements for the office of Superintendent of Schools for the County of San Benito, specified in Education Code section [1208](#), are as follows:

The person must possess a valid certification document authorizing administrative services and the credentials are equivalent to the possession of a valid general administrative credential.

In addition, the following requirements must be met:

The candidate shall be a registered voter of the County of San Benito at the time nomination papers are issued. (*Gov. Code Sec. [24001](#)*)

ASSESSOR - QUALIFICATIONS

The requirements for the office of Assessor for the County of San Benito, specified in Government Code section [24002.5](#), are as follows:

- (a) A person may not exercise the powers and duties of the office of assessor unless he or she holds a valid appraiser’s certificate issued by the State Board of Equalization pursuant to [Article 8](#) (commencing with Section 670) of Chapter 3 of Part 2 of Division 1 of the Revenue and Taxation Code.
- (b) Notwithstanding subdivision (a), a duly elected or appointed person may exercise the powers and duties of assessor, for a period not to exceed one year, if he or she acquires a temporary appraiser’s certificate from the State Board of Equalization no later than 30 days after taking office.
- (c) This section does not apply to any person holding the office of assessor on January 1, 1997.

In addition, the following requirements must be met:

The candidate shall be a registered voter of the County of San Benito at the time nomination papers are issued. (*Gov. Code Sec. [24001](#)*)

COUNTY CLERK/AUDITOR/RECORDER - QUALIFICATIONS

The requirements for the office of Clerk/Auditor/Recorder for the County of San Benito, specified in Government Code sections [26945](#), are as follows:

(26945) No person shall be eligible for election or appointment to the office of San Benito County Clerk/Auditor/Recorder unless that person meets one of the following criteria:

- (a) The person possesses a valid certificate issued by the California Board of Accountancy under Chapter 1 (commencing with Section [5000](#)) of Division 3 of the Business and Professions Code showing the person to be, and a permit authorizing the person to practice as, a certified public accountant or as a public accountant.
- (b) The person possesses a baccalaureate degree from an accredited university, college, or other four-year institution, with a major in accounting or its equivalent, as described in subdivision (a) of Section 5081.1 of the Business and Professions Code, and has served within the last five years in a senior fiscal management position in a county, city, or other public agency, a private firm, or a nonprofit organization, dealing with similar fiscal responsibilities, for a continuous period of not less than three years.
- (c) The person possesses a certificate issued by the Institute of Internal Auditors showing the person to be a designated professional internal auditor, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.
- (d) The person has served as county auditor, chief deputy county auditor, or chief assistant county auditor for a continuous period of not less than three years.

In addition, the following requirements must be met:

- A.) The candidate shall be a registered voter of the County of San Benito at the time nomination papers are issued. (*Gov. Code Sec. [24001](#)*)
- B.) All persons desiring to become a candidate for the position of the San Benito County Clerk-Auditor-Recorder shall provide to the County Clerk, at the time of filing for the position, a written statement declaring the manner under which he or she qualifies for the position. ([SBC Ord. 3.01.120](#))

DISTRICT ATTORNEY - QUALIFICATIONS

The requirements for the office of District Attorney for the County of San Benito, specified in Government Code section 24002, are as follows:

A person is not eligible to the office of district attorney unless he/she has been admitted to practice in the Supreme Court of the State. (*Gov. Code Sec. [24002](#)*)

In addition, the following requirements must be met:

The candidate shall be a registered voter of the County of San Benito at the time nomination papers are issued. (*Gov. Code Sec. [24001](#)*)

SHERIFF/CORONER - QUALIFICATIONS

The requirements for the office of Sheriff for the County of San Benito, specified in Government Code section [24004.3](#), are as follows:

- (a) No person is eligible to become a candidate for the office of sheriff in any county unless, at the time of the final filing date for election, he or she meets one of the following criteria:
 - (1) An active or inactive advanced certificate issued by the Commission on Peace Officer Standards and Training.
 - (2) One year of full-time, salaried law enforcement experience within the provisions of Section [830.1](#) or [830.2](#) of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing and possesses a master's degree from an accredited college or university.
 - (3) Two years of full-time, salaried law enforcement experience within the provisions of Section [830.1](#) or [830.2](#) of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a bachelor's degree from an accredited college or university.
 - (4) Three years of full-time, salaried law enforcement experience within the provisions of Section [830.1](#) or [830.2](#) of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses an associate in arts or associate in science degree, or the equivalent, from an accredited college.
 - (5) Four years of full-time, salaried law enforcement experience within the provisions of Section [830.1](#) or [830.2](#) of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a high school diploma or the equivalent.
- (b) All persons holding the office of sheriff on January 1, 1989 shall be deemed to have met all qualifications required for candidates seeking election or appointment to the office of sheriff. (Gov. Code Sec. [24004.3](#))

In addition, the following requirements must be met:

The candidate shall be a registered voter of the County of San Benito at the time nomination papers are issued. (Gov. Code Sec. [24001](#))

TREASURER/TAX COLLECTOR - QUALIFICATIONS

The requirements for the office of Treasurer/Tax Collector for the County of San Benito, shall be those specified in Government Code sections [27000.7](#), [27000.8](#) and [27000.9](#) and are as follows:

- (a) No person shall be eligible for election or appointment to the office of San Benito County Treasurer/Tax Collector unless that person meets one of the following criteria:
 - (1) The person has served in a senior financial management position in a county, city, or other public agency dealing with similar financial responsibilities for a continuous period of not less than three years, including, but not limited to, treasurer, tax collector, auditor, auditor-controller, or the chief deputy or an assistant in those offices.
 - (2) The person possesses a valid baccalaureate, masters, or doctoral degree from an accredited college or university in any of the following major fields of study: business administration, public administration, economics, finance, accounting, or a related field, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.
 - (3) The person possesses a valid certificate issued by the California Board of Accountancy pursuant to Chapter 1 (commencing with Section 5000) of Division 3 of the Business and Professions Code, showing that person to be, and a permit authorizing that person to practice as, a certified public accountant.

TREASURER/TAX COLLECTOR - QUALIFICATIONS (cont...)

- (4) The person possesses a valid charter issued by the Institute of Chartered Financial Analysts showing the person to be designated a Chartered Financial Analyst, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.
 - (5) The person possesses a valid certificate issued by the Treasury Management Association showing the person to be designated a Certified Cash Manager, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.
- (b) This section shall only apply to any person duly elected or appointed as a county treasurer, county tax collector, or county treasurer/tax collector on or after January 1, 1998.

Educational requirements for Treasurer/Tax collector:

Any person who is elected to the Office of San Benito County Treasurer/Tax Collector, shall complete a valid continuing course of study as prescribed in this section, and shall during the person's four-year term of office on or before June 30 of the fourth year, render to the State Controller a certification indicating that the person has successfully completed a continuing education program consisting of, at a minimum, 48 hours, or an equivalent amount of continuing education units within the discipline of treasury management, public finance, public administration, governmental accounting, or directly related subjects, offered by a recognized state or national association, institute, or accredited college or university, or the California Debt and Investment Advisory Commission, that provides the requisite educational program prescribed in this section. The willful or negligent failure of any elected San Benito County Treasurer/Tax Collector to comply with the requirements of this section shall be deemed a violation of this section. [27000.8](#); and

Notwithstanding any other requirement of law, any duly appointed county officer serving in the capacity of county treasurer, county tax collector, or county treasurer-tax collector shall, beginning in 2000, complete a valid continuing course of study as prescribed in this section, and shall, on or before June 30 of each two-year period, render to the Controller, a certification indicating that the county officer has successfully completed a continuing education program consisting of, at a minimum, 24 hours or an equivalent amount of continuing education units within the discipline of treasury management, tax collection, public finance, public administration, governmental accounting, or directly related subjects, offered by a recognized state or national association, institute, or accredited college or university, or the California Debt and Investment Advisory Commission, that provides the requisite educational programs prescribed in this section. The willful or negligent failure of any county officer serving in the capacity of county treasurer, county tax collector, or county treasurer-tax collector to comply with the requirements of this section shall be deemed a violation of this section. [27000.9](#).

In addition, the following requirements must be met:

- A.) The candidate shall be a U.S. citizen and a registered voter of the County of San Benito at the time nomination papers are issued. (*Gov. Code Sec. [24001](#)*)
- B.) All persons desiring to become a candidate for the position of the San Benito County Treasurer-Tax Collector, Public Administrator shall provide to the County Clerk, at the time of filing for the position, a written statement declaring the manner under which he or she qualifies for the position. ([SBC Ordinance 3.01.105](#))

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SECTION 2:
PRIMARY ELECTION
CALENDARS
JUNE 5, 2018

PRIMARY ELECTION CALENDAR 2018 (SUMMARY)

Listed below are various mandatory forms (unless noted as “optional”) to be filed for candidacy for the June 5, 2018 Primary Election. It is the responsibility of the candidate to ensure that all filing requirements and deadlines have been met. All candidates are urged to file the required documents as early as possible to avoid a last minute rush, confusion or misunderstanding. Additionally, it is recommended that the candidate file all documents personally. The San Benito County Department of Elections recommends pre-scheduling an appointment for all of your filing needs. Find the appointment scheduler at: <http://sbcvote.us/registrar-of-voters/candidate-appointment-scheduler/>

DOCUMENT	APPLIES TO	FILING PERIOD
Signature In-Lieu Petition	Optional for U.S. Senate, Congressional, Legislative, Judicial Offices, Board of Supervisors & Countywide office Candidates	Dec 14 - Feb 7 (E-173 to E-118)
Declaration of Intention	Judicial Offices Only	Jan 29 - Feb 7 (E-127 to E-118)
Declaration of Intention (Extension)	Only applies if Judicial Incumbent Fails to File	Feb 8 - Feb 12 (E-117 to E-113)
Nomination Papers <i>(Nomination Petition &/or Declaration of Candidacy)</i>	ALL Candidates	Feb 12 - Mar 9 (E-113 to E-88)
Candidate's Statement of Qualifications	Optional for U.S. Senate Candidates ONLY <i>(State Voter Guide)</i>	Jan 25 - Feb 14 Set by SoS
	Optional for All Other Candidates <i>(County Voter Pamphlet)</i>	
Code of Fair Campaign Practices	Optional for All Candidates	File with Nomination Papers
Statement of Economic Interests (Form 700)	All candidates <i>(Excludes Federal & Central Committee Candidates)</i>	
Campaign Disclosure Statements (FPPC Forms)	Legislative, Board of Supervisors, Board of Education Candidates <i>(Excludes Federal & Central Committee Candidates)</i>	Refer to www.FPPC.CA.gov & Section 5
Extension of Nomination Period	Only applicable if the incumbent fails to file and qualify during the regular Nomination Filing Period	Mar 12 - Mar 14 (E-87 to E-83)

PRIMARY ELECTION CALENDAR 2018 (DETAIL)

All code sections are the Elections Code, unless otherwise noted.

Following the filing period dates, the number of days prior to or after the election is provided (E = Election Day, followed by the number of days prior to (-) or after (+) Election Day.)

If there is an asterisk (*) by the date, the deadline falls on a weekend or holiday and, in most cases, has been moved to the next business day.

<p>December 14, 2017 to February 7, 2018 <i>(E-173 to E-118)</i></p>	<p>Signatures in Lieu of Filing Fees Between these dates candidates who must pay filing fees, may obtain signature-in-lieu forms from the county elections official or the Secretary of State for circulating petitions to secure signatures in-lieu of paying all or part of the filing fee. Signatures may also be applied to the nomination signature requirements for office. §8061, 8105, 8106</p> <p>The In-Lieu Petition must be filed by the last day to file the Declaration of Intention since the filing fee must be satisfied by that day. The Elections Department will notify the candidate of any deficiency within 10 days of filing.</p>
<p>December 29, 2017 <i>(E-158)</i></p>	<p>Secretary of State to Prepare Notice of Offices on Primary Ballot At least 158 days before the primary, the Secretary of State shall prepare and transmit to each county election's official a notice designating all the offices, except those of county officers and judges, for which candidates are to be nominated. §12103</p>
<p>January 1, 2018</p>	<p>County Holiday Office Closed New Years Day</p>
<p>January 2, 2018 <i>(E-154)</i></p>	<p>Report of Registration - 154-day Report During this period, each county elections official shall prepare to send to the Secretary of State a summary statement of the number of persons registered by party affiliation, by county, and by each political subdivision. §2187(a)(c)&(d)(1)</p>
<p>January 15, 2018</p>	<p>County Holiday Office Closed Martin Luther King Day</p>
<p>January 25, 2018 To February 14, 2018 <i>(E-131 to E-111)</i></p>	<p>Candidate Statements – U.S. Senator Candidate for U.S. Senate may purchase space for a 250-word candidate statement in the state Voter Information Guide. Statements are filed with the Secretary of State. §9084(i)</p>
<p>January 29, 2018 to February 7, 2018 <i>(E-127 to E-118)</i></p>	<p>Declaration of Intent - Judicial Candidate (Only) Between these dates judicial candidates file their Declaration of Intention with the Elections Department. Candidates must pay the entire filing fee at this time, represented by money, signatures or any prorated combination of money and signatures. Must state which office they wish to become a candidate. The filing fee is non-refundable. §8023</p>

<p>February 8, 2018 To February 12, 2018 (E-117 to E-113)</p>	<p>Declaration of Intention - Extension Period Judicial Candidates (Excludes the Incumbent) If the incumbent has not filed a Declaration of Intention to succeed to the same office, then any other person, other than the incumbent, may file such a declaration during the extension period. §8023(b)</p>
<p>January 25, 2018 To February 14, 2018 (E-131 to E-111)</p>	<p>Candidate Statements – U.S. Senator Candidate for U.S. Senate may purchase space for a 250-word candidate statement in the state Voter Information Guide. Statements are filed with the Secretary of State. §9084(i)</p>
<p>January 29, 2018 To February 12, 2018 (E-127 to E-113)</p>	<p>Cities Publish Election Notice Between these dates, any city that is consolidating an election with the June primary will publish a Notice of Election one time in a newspaper of general circulation stating:</p> <ul style="list-style-type: none"> • The date and polling hours of the election • Any offices to be filled and any measure to be voted on, including a synopsis of each measure. <p>§12101, 12111</p>
<p>January 31, 2018 (E-125)</p>	<p>Secretary of State to Prepare Notice Designating Qualified Political Parties At least 125 days before the direct general election, the Secretary of State shall prepare and transmit to each county election official a notice designating the political parties qualified to participate in the general election. §5100(b)(c), 12103</p>
<p>February 5, 2018 To March 7, 2018 (E-120 to E-90)</p>	<p>County Publishes Notice of Election Between these dates the County Clerk, as a matter of policy, will publish a Notice of Election containing the date of the election, the offices to be filled, where nomination papers are available, and the deadline for filing Declarations of Candidacy. Notice of central counting place may be combined with this notice. §12109, 12112</p>
<p>February 12, 2018 To March 9, 2018 (E-113 to E-88)</p>	<p>Declarations of Candidacy & Nomination Papers – All Candidates Between these dates, candidates must file their Declaration of Candidacy and Nomination Papers. All candidates, except those for judicial offices who satisfied their filing fee requirements when they filed their Declaration of Intention, must pay the entire filing fee at the time they pick up their Nomination Papers. The fee may be represented by money, signatures, or any prorated combination of money and signatures. The filing fee is non-refundable. Candidates may authorize in writing that their in-lieu signatures count toward the number of signatures needed for their Nomination Paper pursuant to Elections Code §8061. §8020, 8041, 8061, 8100 - 8107 Candidates may authorize in writing that their in-lieu signatures count toward the number of signatures needed for their Nomination Paper pursuant to Elections Code §8061. §333, 8020, 8040, 8061-8064, 8100, 8105, 8106, 13107.3</p>

<p>February 12, 2018 To March 9, 2018 <i>(E-113 to E-88)</i></p>	<p>Declarations of Candidacy & Nomination Papers – Deployed on Active Military Service outside of the State</p>
	<p>Notwithstanding any other law, a person who is deployed on active military service outside of the state and is unable to appear to file a declaration of candidacy, nomination papers, or any other paper necessary to run for office may have that declaration or paper completed and filed by an attorney-in-fact, commissioned and empowered in writing for that purpose through a power of attorney. At the time of filing the declaration or paper, the attorney-in-fact shall present the original power of attorney duly signed by the deployed person. The power of attorney shall state the office that the deployed person is seeking, including the district number, if any, and shall include a declaration that the deployed person meets the statutory and constitutional qualifications for office that he or she is seeking and that if nominated; the deployed person will accept the nomination and will not withdraw.</p> <p>The power of attorney shall further state that the power of attorney is solely for the purpose of authorizing the attorney-in-fact to file a declaration or paper necessary to run for office. The original or a copy of the power of attorney shall be filed with and attached to the declaration or paper.</p>
	<p>§ 202</p>
<p>February 12, 2018 To March 9, 2018 <i>(E-133 to E-88)</i> <i>plus any extension</i></p>	<p>No Candidate May Withdraw</p>
	<p>No candidate nominated at any primary election may withdraw as a candidate at the ensuing general election except those candidates permitted to withdraw by this part.</p>
	<p>§8801</p>
<p>February 12, 2018 To March 9, 2018 <i>(E113 to E-88)</i></p>	<p>Candidate’s Statement of Qualifications –County & State Legislative Candidates</p>
	<p>Between these dates, candidates for county offices may prepare a statement of qualifications, not to exceed 200 words, to be included in the Voter’s Information Pamphlet. State Legislative offices who qualify under Proposition 34 may prepare a statement not to exceed 250 words. The statement shall be filed and paid for at the time the Declaration of Candidacy is filed. The statement may not be changed, but may be withdrawn up until 5 p.m. on March 10th if the contest closes on the 9th or March 15th if the contest closes on 14th after the extension period.</p>
	<p>§13307, 13311; Gov. Code 85601(c)</p>
<p>February 12, 2018 To March 9, 2018 <i>(E-113 to E-88)</i></p>	<p>Candidate’s Statement of Qualifications – Congressional Candidate</p>
	<p>Between these dates, candidates for U. S. Representative may prepare a statement of qualifications, not to exceed 250 words, to be included in the Voter’s Information Pamphlet. The statement shall be filed and paid for at the time the Declaration of Candidacy is filed. The statement may not be changed, but may be withdrawn up until 5 p.m. on March 10th if the contest closes on the 9^h or March 15th if the contest closes on 14th, after the extension period.</p>
	<p>§ 13307.5</p>
<p>February 12, 2018 To March 9, 2018 <i>(E-113 to E-88)</i></p>	<p>Statement of Economic Interests – - FPPC Filing All Candidates (EXCEPT U.S. Senate & Congress)</p>
	<p>Between these dates, candidates filing their Declaration of Candidacy for the June Primary; must also file statements of economic interests disclosing their investments, interests in real property, and any income received during the preceding 12 months. The statement is not required if the candidate has filed such a statement within the past 60 days for the same jurisdiction.</p>
	<p>Gov. Code §87200, 87201, 87500</p>

<p>February 14, 2018 <i>(E-111)</i> <i>Date set by SoS</i></p>	<p>Statewide Candidate Statements Due</p> <p>Last day for candidates running for statewide offices who have agreed to voluntary expenditure limits to purchase a 250-word candidate statement in the Official State Voter Information Guide. Statements must be filed with the Secretary of State. Gov. Code § 85601(a); E.C. §9084(i)</p>
<p>March 7, 2018 To June 5, 2018 <i>(E-90 to Election day)</i></p>	<p>24-hour Contribution Reports</p> <p>During the 90 days immediately preceding an election and including Election Day, contributions that total in the aggregate of \$1,000 or more must be reported within 24 hours to the county elections official. Specific contribution types and required forms can be found on the FPPC website www.fppc.ca.gov.</p>
<p>March 9, 2018 <i>(E-88)</i></p>	<p>Deadline for Filing Tax Rate Statement for Bond Measures</p> <p>Last day to file Tax Rate Statement for any bond measure appearing in the Voter Information Pamphlet. §9401</p>
<p>March 9, 2018 <i>(E-88)</i></p>	<p>Last Day to Submit Resolutions of Consolidation</p> <p>Final deadline for the governing body of a district, city, school or other political subdivision which requests consolidation of a local election for candidates and/or measures to file the request with the county Elections Department.</p> <p>Earlier filing dates are encouraged in order to meet printing schedules.</p> <p>§10401, 10402, 10403</p>
<p>March 9, 2018 <i>(E-88)</i></p>	<p>Notification of Mail Ballot Precinct</p> <p>Last day for the county elections official to determine that there are 250 or fewer persons registered to vote in any precinct. The county elections official may then mail to each voter a vote-by-mail ballot along with a statement that there will be no polling place for the general election.</p> <p>§3005</p>
<p>March 12, 2018 To March 19, 2018 <i>(E87 to E-78)</i></p>	<p>10-day Public Inspection for Local Measures on the Ballot</p> <p>10-day public inspection of ballot text and abbreviated ballot statements (ballot questions) will begin the day after the ballot materials are filed and continue for 10 continuous days. Documents will be on public display at the Elections Department, 440 Fifth Street, Room #206 Hollister.</p> <p>During this period, any voter of the jurisdiction or the county elections official may seek a writ of mandate or an injunction requiring any or all of the materials to be amended or deleted. §9190, 9380</p>

<p>March 12, 2018 To March 14, 2018 (E87 to E-83)</p>	<p>Extension of Nomination Period Extension period for anyone other than the incumbent to file a Declaration of Candidacy and Nomination Petition if the incumbent did not file by March 9. This provision does not apply if there is no incumbent eligible to be elected. §8022, 8024</p> <p>For Judicial offices, if the incumbent of the office files a Declaration of Intention, but for any reason fails to qualify for nomination for the office by March 9, 2018, an additional five days shall be allowed for the filing of nomination papers for the office. Any person, other than the incumbent if otherwise qualified, may file nomination papers for the office during the extended period, notwithstanding that he or she has not filed by February 7 a written and signed Declaration of Intention to become a candidate for the office. §8204</p> <p>NOTE: This extension does NOT apply... 1) when the incumbent for judicial office does not file a Declaration of Intention for that same office (there is an earlier filing extension period from February 8 to February 12); 2) when there is no incumbent eligible to be re-elected;</p>
<p>March 13, 2018</p> <p>March 14, 2018 (E-83)</p>	<p>Arguments Due for Measures 5 p.m. deadline to submit arguments for or against ballot measures for all jurisdictions. (Date set by RoV) §9163, 9316</p> <p>Party Endorsement List The State Chairperson of any qualified political party may approve a written copy of the list of candidates endorsed or nominated by the party. Such a list shall be provided no later than 83 days prior to the election where the candidate for a voter-nominated office will appear on the ballot. §13302 (b)</p>
<p>March 14, 2018 To March 23, 2018</p>	<p>10-day Public Inspection for Arguments 10-day public inspection of arguments file. Documents will be on public Display at the San Benito County Clerk/Elections Department, 440 Fifth Street, Room #206 - Hollister, CA</p> <p>During this period, any voter of the jurisdiction or the county elections official may seek a writ of mandate or an injunction requiring any or all of the materials to be amended or deleted.</p>
<p>March 15, 2018 11 a.m. (E-82)</p>	<p>Randomized Alphabet Drawing Secretary of State and the county Elections Department shall conduct the randomized alphabet drawing to determine the order in which the candidates will appear on the general election ballot.</p> <p>On this same day, the County Clerk shall conduct a randomized alphabet drawing for the office of State Senate and Assembly. §13112</p>
<p>March 20, 2018</p>	<p>Deadline for Filing Rebuttals and Analyses to Measures For those jurisdictions that submitted measure information, on this date Rebuttal Arguments will be due by 5 p.m. §9167, 9317</p> <p>County Counsel to submit analysis (§9160, 9313) for county and school/special district measures; City attorney to submit analysis of city measures. (§9280)</p> <p>County Auditor, if previously directed by the Board of Supervisors, to submit fiscal analysis of measures. (Date Set by RoV) (§9160)</p>

<p>March 21, 2018 To March 30, 2018</p>	<p>10-day Public Inspection for Rebuttals and Analysis 10-day public inspection of rebuttals and analyses filed. Documents will be on public display at the San Benito County Elections Department, 440 Fifth Street, Room #206, Hollister. (§9190, 9380)</p>
<p>March 26, 2018 (E-73)</p>	<p>Notice to Candidates of Opponents – Voter-Nominated Offices Only On or before this date, but fewer than five days before sending the Certified List of Candidates to county elections officials, the Secretary of State shall notify each candidate for partisan office and voter-nominated office of the names, addresses, offices, occupations and party preferences of all other persons who have filed for the same office. §8121</p>
<p>March 29, 2018 (E-68)</p>	<p>Certified List of Candidates – Federal and State Offices Last day for the Secretary of State to send to each elections official a certified list showing the name, office, political party or party preference, and address of every federal and state candidate entitled to receive votes within the county at the general. §8120-8125</p> <p>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 general elections. §§6180, 6950-6954</p>
<p>April 6, 2018 (E-60)</p>	<p>Political Signs First day political signs may be posted. Signs must be removed within 10 days after the election.</p> <p style="text-align: right;">Business & Professional Code §5405.3 Code of Ordinances § 25.29.068</p>
<p>April 6, 2018 (E-60)</p>	<p>Special (Military and Overseas) Vote-by-Mail Ballot Applications The first day county elections officials may process applications for special vote-by-mail ballots. §300(b), 321, 3102, 3103, 3105</p>
<p>April 6, 2018 To April 16, 2018 (E-60 to E-50)</p>	<p>Report of Registration – 60-day County Report During this period, county elections officials shall send to the Secretary of State a summary statement of the number of persons registered by party in their counties and in each political subdivision thereof as of September 9th. §2187(a)(c) &(d)(2)</p>
<p>April 9, 2018 To May 22, 2018 (E-57 to E-14)</p>	<p>Statement of Write-in Candidacy and Nomination Papers During this period write-in candidates must file their Statement of Write-in Candidacy and Nomination Papers with the county elections official. §8601</p>
<p>April 12, 2018 (E-54)</p>	<p>54-Day Walking Lists Prepared The County Elections Official will prepare the 54-day voter index that is available for purchase upon written application at a cost of 50 cents per 1,000 names. Lists are available approximately 5 working days after the day the job is run. §2184, 2185</p>
<p>April 21, 2018 (E-45)</p>	<p>State Ballot Pamphlets Available By this date, the Secretary of State shall furnish copies of the State Ballot Pamphlet to cities, counties, and members of the Legislature, proponents of statewide ballot measures, public libraries, and educational institutions. §9094</p>

<p>April 26, 2018 Period Covered 1/1/2018 to 04/21/2018</p>	<p>First Pre-Election Statement - FPPC Filing Each candidate listed on the ballot must file Form 460 or Form 470</p>
<p>April 26, 2018 To May 15, 2018 (E-40 to E-21)</p>	<p>Counties Mail Sample Ballots / State Ballot Pamphlet Mailing Between these dates the county elections official shall mail a Sample Ballot and polling place notice to each registered voter. Between these dates the Secretary of State shall mail state ballot pamphlets to all households in which voters were registered by Friday, Sept. 9th (E-60) The county will do a supplemental mailing of state pamphlets to voters who register after Sept. 9th.</p> <p style="text-align: right;">§9094, 13303, 13304</p>
<p>May 7, 2018 (E-29)</p>	<p>Establish Precinct Boards and Polling Places Last day for the county Elections Department to appoint board members and polling places and provide a copy to each county central committee and make a copy available to the public.</p> <p style="text-align: right;">§12286, 12318</p>
<p>May 7, 2018 (E-29)</p>	<p>Last Day to Register to Vote to Ensure Receipt of Sample Ballot Voter registration cards received by this date will be added to the rolls and the voters will receive a mailed copy of the Sample Ballot booklet prepared by the county elections official. This is a received-by date, not a postmarked-by date. The voters who submit cards after this date will NOT receive a Sample Ballot booklet by mail, only a notice advising the late registrant that he/she will not receive a mailed copy of the Sample Ballot and Voter's Information Pamphlet. The voter may come into the Department of Elections office and request the Sample Ballot and Voter's Information Pamphlet. This information is also available on the Elections website: www.sbcvote.us.</p> <p style="text-align: right;">§9094, 13303</p>
<p>May 7, 2018 (E-29)</p>	<p>29-Day Walking Lists Prepared The County Elections Official will prepare the 29-day voter index available for purchase upon written application at a cost of 50 cents per 1,000 names.</p> <p style="text-align: right;">§2184</p>
<p>May 7, 2018 To May 29, 2018 (E-29 to E-7)</p>	<p>Vote-by-Mail Ballot Application Period Between these dates voters may apply for a vote-by-mail ballot from the Elections Department. Under certain conditions voters may obtain a vote-by-mail ballot after May 29th.</p> <p style="text-align: right;">§3001, 3003</p>
<p>May 20, 2018 To June 4, 2018</p>	<p>24-Hour Statement of Organization Filing Requirement - Recipient Committees & Slate Mailer Organizations During the 16 days immediately preceding an election, any person or entity which qualifies as a recipient committee or slate mailer organization must file a Form 410 within 24 hours by FAX, guaranteed overnight delivery or personal delivery. Gov. Code §84101, 84108</p>
<p>May 21, 2018 To June 4, 2018</p>	<p>Late Contribution/Independent Expenditure Report - FPPC Filing During this time late contribution/independent expenditure reports must be filed by e-mail, FAX, telegram, mailgram, guaranteed overnight mail or deliver in person. Gov. Code §84203, 84204</p>

<p>May 21, 2018 (E-15)</p>	<p>15-day Voter Registration The county elections official shall accept an affidavit of registration executed as part of a voter registration card in the forthcoming election if the affidavit is executed on or before the 15th day prior to the election, and if any of the following apply:</p> <ol style="list-style-type: none"> 1. The affidavit is postmarked on or before the 15th day prior to the election and received by mail by the county elections official. 2. The affidavit is submitted to the Department of Motor Vehicles or accepted by any other public agency designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg) prior to the election. 3. The affidavit is delivered to the county elections official by means other than those described in paragraphs (2) and (3) on or before the 15th day prior to the election. <p style="text-align: right;">§2107</p>
<p>May 22, 2018 (E-14)</p>	<p>Bilingual Precinct Board Members By this date, the county elections official shall prepare a list of precincts to which bilingual officials were appointed. A copy of this list shall be made available to the public.</p> <p style="text-align: right;">§12303(d)</p>
<p>May 22, 2018 To May 29, 2018 (E-14 to E-7)</p>	<p>New Residents Registration Period Registration for new residents shall begin the 14th day prior to an election and end on the seventh day prior to election day. This registration must be executed in the county elections office and the new resident shall vote a new resident's ballot containing the contest of President and Vice President only in the election official's office.</p> <p style="text-align: right;">§332, 3400</p>
<p>May 22, 2018 To June 5, 2018 (E-14 to E-0)</p>	<p>New Citizens Registration Period Registration for new citizens shall begin the 14th day prior to an election and ending at the close of polls on election day. A new citizen registering to vote after the close of registration shall provide the county elections official with proof of citizenship prior to voting, and shall declare that he or she has established residency in California. New citizens vote a regular ballot.</p> <p style="text-align: right;">§331, 3500, 3501, 3502</p>
<p>May 24, 2018 Period Covered April 22, 2018 To May 19, 2018</p>	<p>Second Pre-Election Statement – FPPC Filing The last day to file campaign statements for candidates and committees</p> <p style="text-align: right;">Gov. Code §84200.5, 84200.7</p>
<p>May 24, 2018</p>	<p>Supplemental Independent Expenditure Reports - FPPC Filing Last day to file supplemental independent expenditure reports for committees making independent expenditures of \$1,000 or more in a calendar year to support or oppose a candidate or measure. Independent expenditure reports are filed at the same time and in the same places as would be required if the filer were primarily formed to support or oppose the candidate, measure, or measure qualification affected by the independent expenditure.</p> <p style="text-align: right;">Gov. Code §84203.5, 82031</p>
<p>May 28, 2018</p>	<p>County Holiday Office Closed Memorial Day</p>
<p>May 29, 2018 (E-10)</p>	<p>Notice of Central Counting Place Last day for county election official to publish the notice that the ballots will be counted at a specified public place. The notice shall be published one time in a newspaper of general circulation in the county.</p> <p style="text-align: right;">§12109</p>

<p>May 29, 2018 (E-7)</p>	<p>Publish Polling Places and Precinct Board Members Not less than one week before the election, the elections official shall publish the list of polling places and precinct board members designated for each election precinct. §12105-12108, Gov. Code §6061</p>
<p>May 30, 2018 To June 4, 2018 (E-6 to E-1)</p>	<p>Military or Overseas Voter Recalled to Service Period in which a registered military or overseas voter recalled to service 7 days prior to the election but prior to 5:00 pm on the day prior to the election may appear before the county elections official and obtain a vote-by-mail ballot which may be voted in, or outside, the county elections official's office on or before the close of the polls and returned as are other voted vote-by-mail ballots. §3111</p>
<p>May 30, 2018 To June 5, 2018 (E-6 to E)</p>	<p>Vote-by-Mail Ballots – Late Conditions Voters unable to go to the polls because of illness or disability or because they will be absent from their precinct on election day, may come to the Elections Department and receive a vote-by-mail ballot over the counter. Voters may designate in writing a representative to bring the vote-by-mail ballot to them. The voter may return the ballot to the Elections Department or polling place in the county either personally or through the authorized representative. §3021</p>
<p>June 2, 2018 & June 3, 2018</p>	<p>Weekend Voting The San Benito County Elections Office will be open from 9:00 am – 3:00 pm both the Saturday and Sunday prior to Election Day for weekend voting and vote-by-mail drop off.</p>
<p>June 5, 2018</p>	<p>DIRECT PRIMARY ELECTION DAY POLLS OPEN AT 7 A.M. AND CLOSE AT 8 P.M. §1000</p>
<p>June 5, 2018 8:00 pm</p>	<p>Semi-Official Canvass of Votes Cast Beginning at 8:00 pm, after the close of the polls, and continuously until all voting precincts are reported, the county election official shall begin releasing election results and will continuously update election night results and report totals to the Secretary of State approximately every hour. §15150, 15151</p>
<p>June 6, 2018 To June 19, 2018</p>	<p>Amended Candidate Intention Statement – State Senator and Member of the Assembly If the voluntary expenditure ceiling is rejected in the general, but not exceeded during that election, the Candidate Statement of Intention (FPPC Form 501) may be amended to accept the expenditure ceiling for the general. The amended Form 501 must be filed within 14 days following the primary elections. Gov. Code §85200, 85401</p>
<p>June 7, 2018 To July 5, 2018</p>	<p>Official Canvass The official canvass of precinct returns is to be completed during this time. (E+2 to E+30) §15301, 15372</p>
<p>June 8, 2018 (E+3)</p>	<p>Vote-by-Mail Ballots Returned Via Post Office - Deadline Vote-by-Mail ballots that are postmarked on or before Election Day or is time stamped or date stamped by a bona fide private mail delivery company on or before Election Day, and received by the county elections official shall be considered received on time. If the ballot has no postmark, a postmark with no date, or an illegible postmark, the vote by mail ballot identification envelope must be signed and dated by the voter pursuant to section 3011 on or before Election Day in order to be considered received on time. §3017, 3020</p>

<p>July 3, 2018 (E+28)</p>	<p>Statement of Vote to Board of Supervisors – Certificates of Election Prepared The elections official shall prepare a certified statement of the results of the election and submit it to the Board of Supervisors. The Board of Supervisors shall declare the nominees or winners for each office and the results of each measure under its jurisdiction. The county elections official shall make and deliver to each person elected a certificate of election. §15372, 15400-15401</p>
<p>July 4, 2018</p>	<p>County Holiday Office Closed Independence Day</p>
<p>July 5, 2018 (E+30)</p>	<p>Nonpartisan Candidates Elected if Majority Vote Received Any candidate for a nonpartisan office who at a primary election receives a majority of the votes cast for candidates for that office shall be elected to that office. The office shall not appear on the general election ballot, notwithstanding the death, resignation, or other disqualification of the candidate at a time subsequent to the primary election. §8140</p>
<p>July 6, 2018 (E+31)</p>	<p>Statement of Results to Secretary of State By this date, the county elections official shall send to the Secretary of State, in an electronic format, one complete copy of the returns for all candidates voted for at the general election, including U.S. Senator, U.S. Representative in Congress, State Senator, and Member of the Assembly, and for all statewide ballot measures. §15374, 15375</p>
<p>July 6, 2018</p>	<p>Certificates of Election or Nomination to be prepared Immediately upon completion of the canvass of vote, the election official is responsible to issue certificates of nomination to candidates nominated for nonpartisan offices voted for wholly within one county. The Secretary of State will prepare certificates of nomination for Congressional and Legislative candidates. §8145, 8146 §8147</p>
<p>5 Days After Canvass</p>	<p>Recount May Be Requested Within five (5) days after the completion of the official canvass, any voter may request a recount by filing a written request with the elections official and specifying which candidates and/or measures are to be recounted. The request may specify the order of the precincts for the recount, and the petitioning voter shall, before commencement of each day's recount, deposit such sum as the official requires covering costs (approximately \$500 per day). "Completion of the canvass" shall be presumed to be the time when the elections official signs the certified Statement of Vote. §15620-15634</p>

**Varies between
10 days to
6 months following
the certification of
the vote**

Contesting The Election

Any elector of a county, city, or of any political subdivision of either may contest any election held therein for any of the following grounds:

- That the precinct board or any member thereof was guilty of misconduct.
- That the person who has been declared elected to an office was not, at the time of the election, eligible to that office.
- That the defendant has given to any elector or member of a precinct board any bribe or reward, or has offered any bribe or reward for the purpose of procuring his election, or has committed any other offense against the elective franchise defined in Division 18 ([commencing with Section 18000](#)).
- That illegal votes were cast.
- That eligible voters who attempted to vote in accordance with the laws of the state were denied their right to vote.
- That the precinct board in conducting the election or in canvassing the returns, made errors sufficient to change the result of the election as to any person who has been declared elected.
- That there was an error in the vote-counting programs or summation of ballot counts.

[§16100](#)

The contestant shall verify the statement of contest, as provided by Section 446 of the Code of Civil Procedure, and shall file it within the following times after the declaration of the result of the election by the body canvassing the returns thereof:

- a) In cases other than cases of a tie, where the contest is brought on any of the grounds mentioned in subdivision (c) of Section 16100, six months.
- b) In all cases of tie, 20 days.
- c) In cases involving presidential electors, 10 days.
- d) In all other cases, 30 days.

[§16401](#)

**July 31, 2018
FPPC**

Semiannual Campaign Statement – FPPC Filing
Supplemental Independent Expenditure Reports – FPPC Filing

Last day to file semiannual campaign statements, if required, by all candidates and committees. For period covering 5/21/2018 to 6/30/2018.

Gov. Code [§84200](#), [84218](#)

Last day to file supplemental independent expenditure reports for committees making independent expenditures of \$1,000 or more in a calendar year to support or oppose a candidate or measure. Independent expenditure reports are filed at the same time and in the same places as would be required if the filer were primarily formed to support or oppose the candidate, measure, or measure qualification affected by the independent expenditure.

Gov. Code [§84203.5](#), [82031](#)

**Period Following
Election**

Document Retention

Nomination documents and signatures in-lieu of filing fee petitions (if applicable) shall be held during the term of office for which they were filed and for four years after the expiration of the term. They may be destroyed as soon as practicable thereafter provided no legal action or proceeding is pending.

Since the June 2018 Election has federal offices on the ballot, precinct supplies and voted ballots must be preserved for 22 months following the election. If no legal action is pending at the time, the documents may be destroyed or recycled. Unused ballots may be destroyed or recycled after the November 2018 Election.

Initiative, referendum and recall petitions must be preserved for eight months following certification of the election for which the petition qualified or eight months after final examination of the petition by the clerk. If no legal action or proceeding is then pending, the petitions may be destroyed as soon as practicable.

Elections Code Division 17, commencing with [§17000](#)

SECTION 3:
NOMINATION
DOCUMENTS
AND
FILING PROCEDURES

OVERVIEW: NOMINATION PROCESS

- 1. GATHER SIGNATURES: NOMINATION SIGNATURES (REQUIRED FOR SUPERINTENDENT OF SCHOOLS, COUNTY SUPERVISOR AND ALL COUNTYWIDE OFFICES)**
Requires official forms provided by the San Benito County Elections office.
- 2. FILE NOMINATION DOCUMENTS:**
There are several documents required at the time of filing.
The deadlines are set by law. Refer to the [Candidate Checklist](#).
- 3. CANDIDATE STATEMENT OF QUALIFICATIONS (OPTIONAL):**
To include the candidate's statement in the Voter Information Pamphlet, it must be provided and paid for when filing the nomination documents.
- 4. SUBMIT ONGOING CAMPAIGN DISCLOSURE FORMS:**
Refer to the 'Campaign Disclosure Statements' [Section 5](#) in this Handbook or visit www.fppc.ca.gov (*Federal Offices visit www.fec.gov*).
- 5. WRITE-IN CAMPAIGN ***
To become a qualified write-in candidate, complete the legally required documents at the appropriate office.

The deadlines are set by law. Refer to the election's calendar.

FEES

Types of Fees

There are many different fees discussed in this handbook, not all offices are impacted by fees.

- 1) **Filing Fees:** Filing Fees apply to State Voter Nominated offices, County Offices (Superintendent of Schools, Board of Supervisors, Assessor, Clerk/Auditor/Recorder, District Attorney, Sheriff, and Treasurer/Tax Collector).
- 2) **Candidate Statement Fees:** This is a voluntary fee for printing and translation of your 'Candidate Statement of Qualifications' in the Voter information Pamphlet.
- 3) **Fees for Voter/Election Information:** Candidates and campaigns can purchase a variety of voter and election information for campaign purposes. A specific form is required and the fees vary based on the requested information.

Filing Fees

When Filing Fee is Paid

Candidates for Judicial offices must pay the filing fee at the time they file their Declaration of Intention.

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

Where Filing Fee is Paid and To Whom It is Payable

STATE SENATE/ASSEMBLY/CONGRESS: Checks or Cashier's Check are made payable to the "Secretary of State." Counties will forward the fee to the Secretary of State. (NOTE: SOS will not accept Cash).

SUPERIOR COURT JUDGE/BOARD OF SUPERVISORS/COUNTY OFFICES: Checks are made payable to the "SBC Elections." (Elections Code §[8103](#), [8104](#))

THE FILING FEE MAY BE PAID IN CASH FOR LOCAL OFFICE. Filing fees may be paid in cash if the candidate is using personal funds and will not be reimbursed through the campaign committee. (Gov. Code §[85200](#)).

Otherwise, campaign disclosure laws require that expenditures of \$100 or more be made by written instrument containing the names of both the payee and payer. (Gov. Code §[84300](#))

Filing Fees Paid in Money

Amount of Filing Fee - Filing fees are shown in the table on the next page. The filing fee is a percentage of the annual salary for the office. No filing fee is required of offices with no fixed compensation or annual salary of \$2,500 or less. Write-in candidates are not required to pay filing fees. (Elections Code §[8103](#), [8104](#), [8604](#))

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

Returned Checks - If the filing fee is paid with a personal check that is returned without payment, the county Elections Department will notify the candidate by telephone. The candidate must make payment by money order or cashier's check by 5 p.m. on the next business day. Failure to do so will invalidate the individual's candidacy, and the candidate's name will not appear on the ballot.

Signatures In-Lieu of Filing Fee

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

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

Obtaining the Petition Form - A 1-page (2 sided) master petition form will be available from the Elections Department beginning December 30, 2011. The form will be issued directly to the candidate or to someone bearing written authorization from the candidate. There is no charge for the master form; however, the candidate will be responsible for duplicating as many copies as he/she needs. The pages should be duplicated front to back (2 sided) to prohibit the pages from being separated. (Elections Code [§8106](#))

The Elections Department will maintain a list of persons who have applied for Signatures-In-Lieu petitions. **This will be considered public information** in the event of inquiries from the media or others.

AMOUNT OF FILING FEE AND SIGNATURES REQUIRED

VOTER NOMINATED OFFICES

Office	Salary	Filing Fee	Sig-In-Lieu	Value Per Sig.	Nom. Sigs
Governor	\$195,806.00	\$3,916.12 (2%)	7,000	\$0.559446	65-100
Lieutenant Governor	\$146,854.00	\$2,937.08 (2%)	7,000	\$0.419583	65-100
Secretary of State	\$146,854.00	\$2,937.08 (2%)	7,000	\$0.419583	65-100
Controller	\$156,643.00	\$ 3,132.86 (2%)	7,000	\$0.447551	65-100
Treasurer	\$156,643.00	\$3,132.86 (2%)	7,000	\$0.447551	65-100
Attorney General	\$170,080.00	\$3,401.60 (2%)	7,000	\$0.485943	65-100
Insurance Commissioner	\$156,643.00	\$3,132.86 (2%)	7,000	\$0.447551	65-100
Member, State Board of Equalization	\$146,854.00	\$1,468.54 (1%)	4,406	\$0.333305	40-60
U.S. Senate	\$174,000.00	\$3,480.00 (2%)	7,000	\$0.497143	65-100
U.S. Representative in Congress	\$174,000.00	\$1,740.00 (1%)	2,000	\$0.870000	40-60
State Senate	\$107,242.00	\$1,072.42 (1%)	2,000	\$0.536210	40-60
Member of State Assembly	\$107,242.00	\$1,072.42 (1%)	1,000	\$1.072420	40-60
Superintendent of Public Instruction	\$170,080.00	\$3,401.60 (2%)	7,000	\$0.485943	65-100

NON-PARTISAN OFFICES:

Office	Salary	Filing Fee	# Reg. Voters*	Sig-In-Lieu	Value Per Sig.	Nom. Sigs
Superior Court Judge, No. 1	\$200,042.00	\$2,000.42 (1%)	28,203	1,974	\$1.013384	20 - 40
Superior Court Judge, No. 2	\$200,042.00	\$2,000.42 (1%)	28,203	1,974	\$1.013384	20 - 40
Superintendent of Schools	\$155,000.00	\$1,550.00 (1%)	28,203	1,974	\$0.785208	20 - 40
Board of Supervisor (Dist. 3)	\$49,645.99	\$496.46 (1%)	5,237	367	\$1.352752	20 - 40
Board of Supervisor (Dist. 4)	\$49,645.99	\$496.46 (1%)	6,709	470	\$1.056298	20 - 40
Assessor	\$122,997.47	\$1,229.97 (1%)	28,203	1,974	\$0.623085	20 - 40
County Clerk/Auditor/Recorder	\$141,417.12	\$1,414.17 (1%)	28,203	1,974	\$0.716398	20 - 40
District Attorney	\$158,988.34	\$1,589.88 (1%)	28,203	1,974	\$0.805410	20 - 40
Sheriff/Coroner	\$153,135.63	\$1,531.36 (1%)	28,203	1,974	\$0.775765	20 - 40
Treasurer/Tax Collector/PA	\$122,427.34	\$1,224.27 (1%)	28,203	1,974	\$0.620198	20 - 40

* Based on the most recent Statement of Registration Reported to the Secretary of State prior to the start of Sigs-in-Lieu period, which was March 1, 2017 [§2187, 8106](#)

GUIDELINES FOR GATHERING SIGNATURES

(Read prior to gathering voter signatures)

Circulators (whether the candidate or another person) perform the important duty of obtaining signatures of properly registered voters for the Nomination Petition. If the signatures are not obtained properly and in accordance with the law, the candidate's right to be placed on the ballot could be questioned. All candidates should try to obtain the required number of signatures as soon as possible in order for examination and filing or certification.

Petition Circulator Information

AFFIDAVIT OF CIRCULATOR (ELECTIONS CODE §102 & 104): All petition circulators **must** complete, in his/her own hand:

- 1) The printed name of the circulator.
- 2) The residence addresses of the circulator, giving street and number, or if no street or number exists, adequate designation of residence so that the location may be readily ascertained.
- 3) The dates between which all the signatures to the petition or paper were obtained.

Each declaration submitted pursuant to this section shall also set forth the following:

- 1) The circulator is 18 years of age or older.
- 2) That the circulator circulated that section and witnessed the voter print their name, residential address and the voter's signature being placed on the petition.
- 3) That according to the best information and belief of the circulator, each signature is the genuine signature of the person whose name it purports to be.

The circulator shall certify the content of the declaration as to its truth and correctness, under penalty of perjury under the laws of the State of California, with the signature of his or her name. The circulator shall state the date and the place of execution on the declaration immediately preceding his or her signature.

A candidate for any office may obtain signatures to and sign his/her own nomination petition or signature in-lieu of filing fee petition. His/her signature will be given the same effect as that of any other qualified signer.

§106

Qualified Signers

Only a person who is a registered qualified voter at the time he/she signs the nomination petition or signatures in-lieu petition is entitled to sign it. Each voter shall, at the time of signing the petition or paper, to personally affix his or her signature, printed name and place of residence, giving street and number, and if no street or number exists, then a designation of the place of residence which will enable the location to be readily ascertained. Elections Code §[100](#)

Nomination Petition Signers shall be voters in the district or political subdivision in which the candidate is to be voted on. With respect to any candidacy for partisan office, signers shall be affiliated registered voters who disclosed a preference, pursuant to Section 2151, for the party, if any, in which the nomination is proposed. Signers need not be registered voters who disclosed a preference for any party when signing candidacy papers for a candidate seeking nomination to a voter-nominated office.

Elections Code § [8068](#)

Circulating Within 100 Feet of a Polling Place

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

Voters May Sign Only One Paper; Exceptions

No signer shall, at the time of signing the petition, have his or her name signed to any other Nomination Petition 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 Petition for candidates for that office than there are places to be filled. Elections Code §[8069](#)

Validation of Signatures

The following guidelines will be used when validating signatures on nomination petitions or signature-in-lieu of filing fee petitions.

A signature is **INVALID** if the signer:

- ❖ is not registered to vote;
- ❖ provides a signature on the petition that does not compare to the signature on the voter's affidavit of registration;
- ❖ does not reside in the appropriate district
- ❖ uses a P.O. Box number for residence;
- ❖ uses a mail drop number for residence address;
- ❖ provides an address that is different from the voter's residence address on the affidavit of registration on record;
- ❖ prints his or her name for the signature, unless registered as such;
- ❖ lists her name as Mrs. John Jones (signer must use his/her own name);
- ❖ uses ditto marks for an address;
- ❖ authorizes Power of Attorney to sign on his or her behalf.

CANDIDATE CHECKLIST – JUNE 5, 2018

All candidate filing documents are public at the time they are filed, except for Candidate's Statements of Qualifications that becomes public the first business day following the deadline to file the statements.

DOCUMENTS	APPLIES TO	FILING PERIOD	<input checked="" type="checkbox"/> FILED
<u>Signature-in-Lieu Petition</u>	Optional for U.S. Senate, Congressional, Legislative, Board of Supervisors & Countywide offices ONLY	Dec 14 - Feb 7	<input type="checkbox"/>
<u>Declaration of Intent</u>	All Judicial Candidates	Jan 29 - Feb 7	<input type="checkbox"/>
Candidate's Preliminary Information Worksheet	All Candidates prior to any other documents being issued	Feb 12 - Mar 9 **	<input type="checkbox"/>
<u>Nomination Petition</u>	All Candidates	Feb 12 - Mar 9 **	<input type="checkbox"/>
<u>Declaration of Candidacy & Ballot Designation Worksheet</u>			<input type="checkbox"/>
<u>Candidate Statement of Qualifications</u>	Optional for U.S. Senate Candidates ONLY (<i>State Voter Guide</i>)	Jan 25 - Feb 14	<i>Filed with SOS</i>
<u>Code of Fair Campaign Practices</u>	Optional for All Other Candidates (<i>County Voter Pamphlet</i>)	Filed with Declaration of Candidacy	<input type="checkbox"/>
<u>Statement of Economic Interests (Form 700)</u>	Optional for All Candidates (<i>Excludes Federal Candidates</i>)		<input type="checkbox"/>
<u>Campaign Disclosure Statements (FPPC)</u>	Legislative, Board of Supervisors, Board of Education Candidates (<i>Excludes Federal refer to www.fec.gov - http://www.ethics.house.gov</i>)		Refer to www.FPPC.CA.gov & Section 5

** 5 day extension occurs for all candidates except the incumbent, only if the incumbent fails to file.

CANDIDATE FILING DOCUMENTS

Documents | **Signatures In-Lieu of Filing Fee Petition**

A candidate may submit a petition containing signatures of registered voters in-lieu of paying the filing fee in order to run for office. The signatures submitted may cover all, or a portion, of the filing fee. Signers shall be voters in the district or political subdivision in which the candidate is to be voted on.

With respect to any candidacy for partisan office (*President and Central Committee only*), signers shall be affiliated registered voters who disclosed a preference, pursuant to Section [2151](#), for the party, if any, in which the nomination is proposed. Signers need not be registered voters who disclosed a preference for any party when signing candidacy papers for a candidate seeking nomination to a voter-nominated office.

Signatures in lieu of filing fee petitions may be submitted to the elections official on an on-going basis. (Administrative Code [§20533](#))

The petitions must be filed with the county elections official in the county where circulated.

No additional signatures may be filed after the February 7, 2018 deadline ([§8106\(b\)\(3\)](#)). The elections official shall notify the candidate of the number of invalid signatures within 10 days of filing.

Judicial candidates shall cover the deficiency by paying the balance due of the filing fee no later than the deadline for filing the Declaration of Intention.

All other candidates shall cover the deficiency by paying the balance due of the filing fee no later than date of filing a Declaration of Candidacy.

If a petition is submitted containing numerous duplicate signatures in order to file a larger number of signatures-in-lieu, those signatures will be disqualified and credit toward the filing fee will not be given to them. The candidate must either pay the full amount remaining of the filing fee or forfeit the opportunity to be a candidate.

That portion of the filing fee not covered by the signatures must be paid in full before the Declaration of Intention, Declaration of Candidacy or Nomination Petition may be filed.

If forms are issued as Signatures-In-Lieu Petitions, they must be returned by the deadlines listed above. DO NOT use the Signatures-In-Lieu Petitions for collecting nomination signatures during the Nomination Petition signature gathering period from February 12 to March 9. Candidates must obtain a Nomination petition during that period in order to collect any nomination signatures that may be needed.

The names and addresses of candidates requesting Signature-In-Lieu Petitions is considered public information.

(Elections Code [§8105](#), [8106](#))

Who files

Optional for All Offices that require a filing fee. (US Senate, Congress, State & County)

Where to File

With the San Benito County Department of Elections

Deadline

❖ Filed no later than 5 p.m. on: February 7, 2018

CANDIDATE FILING DOCUMENTS (CONT...)

Documents	Signatures In-Lieu Towards Nomination Signatures
	<p>If a candidate submits a Signatures-In-Lieu petition, the county elections official shall also count those valid signatures appearing on the petition toward the number of voter signatures required for the candidate's Nomination Paper.</p> <p>If the Signatures-In-Lieu petition contains the requisite number of valid signatures required for the Nomination Paper, the candidate is NOT required to circulate and file a separate Nomination Paper. Instead, the candidate may submit a written request to the county elections official to count the valid signatures on the Signatures-In-Lieu petition toward the nomination signature requirement. However, the other required documents (i.e. Declaration of Candidacy, etc.) must still be filed during the appropriate time frame.</p> <p>If the Signatures-In-Lieu petition does not contain the requisite number of valid signatures required for the Nomination Paper, the candidate must circulate and file a separate Nomination petition to be signed by qualified registered voters during the nomination period.</p> <p>In order for a signature to be considered valid and count toward the nomination signature requirement for partisan offices (President and Central Committee), the voter must be registered with the same political party as the candidate.</p> <p>The Signatures-In-Lieu Petitions and/or the Nomination Paper must be delivered to the county elections official of the county in which the signers of the petition reside. Therefore, all signers on a petition section must reside in the same county.</p> <p style="text-align: right;">(Elections Code §8020, 8022, 8040-8041, 8061-8063, 8105-8106)</p>
Who files	Optional for All Offices that require a filing fee. (US Senate, Congress, State & County)
Where to File	With the San Benito County Department of Elections
Deadline	❖ Filed no later than: February 7, 2018

CANDIDATE FILING DOCUMENTS (CONT...)

Documents	Declaration of Intention <p>Candidates for judicial offices are required to file a Declaration of Intention to become a candidate prior to filing their Nomination Documents consisting of a Declaration of Candidacy and a Nomination Paper with the requisite number of signatures.</p> <p>Candidates are required to pay the NONREFUNDABLE filing fee or submit in-lieu signatures for all or a portion of the filing fee at the time of filing the Declaration of Intention.</p> <p>The Declaration of Intention must be obtained from and filed with the county elections official of the county in which the candidate is a resident.</p> <p style="text-align: right;">(Elections Code §8023)</p>
Who files	Judicial Candidates (ONLY)
Where to File	With the San Benito County Department of Elections
Deadline	<ul style="list-style-type: none">❖ February 7, 2018❖ February 12, 2018 Extended if the incumbent does not file.

CANDIDATE FILING DOCUMENTS (CONT...)

Documents	<p>Nomination Petition</p> <p>The Nomination Petition consists of a petition that must contain anywhere from 20-65 valid signatures depending on the office sought. The petition may be obtained and filed prior to filing the Declaration of Candidacy. We recommend that all nomination documents be filed at the time the Nomination Petition is filed.</p> <p>The Nomination Petition may be issued by any county within the jurisdiction. However, petition must be filed in the county in which the signer resides and is a voter.</p> <p>No more signers shall be secured for any candidate than the maximum specified in this handbook. If, however, through miscalculation or otherwise, more signers are secured than the maximum number, the officer with whom the nomination petition are filed shall, with the written consent of the candidate, withdraw the excess number.</p> <p>Signers shall be voters in the district or political subdivision in which the candidate is to be voted on.</p> <p>With respect to any candidacy for partisan office (<i>President and Central Committee only</i>), signers shall be affiliated registered voters who disclosed a preference, pursuant to Section 2151, for the party, if any, in which the nomination is proposed. Signers need not be registered voters who disclosed a preference for any party when signing candidacy papers for a candidate seeking nomination to a voter-nominated office.</p> <p>No signer shall, at the time of signing a certificate, have his or her name signed to any other nomination petition 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 petition for candidates for that office than there are places to be filled.</p> <p>The elections official shall transmit to the Secretary of State the nomination document for each candidate for state offices, United States Senator, Representative in Congress, and Member of the Senate and Assembly.</p> <p style="text-align: right;">Elections Code §8020, 8041, 8062-8070, 8081</p>
Who files	All candidates
Where to File	With the San Benito County Department of Elections
Deadline	<ul style="list-style-type: none"> ❖ Filed when the Declaration of Candidacy is filed, no later than March 9, 2018 ❖ Extended, ONLY if the incumbent fails to file. Extensions are by office and do NOT apply to any incumbents March 14, 2018

CANDIDATE FILING DOCUMENTS (CONT...)

<p>Documents</p>	<p>Declaration of Candidacy & Ballot Designation Worksheet</p> <p>The Declaration of Candidacy is the official nomination document, wherein the candidate indicates how his/her name and ballot designation is to appear on the ballot. Additionally, the candidate declares that he/she meets the statutory and/or constitutional qualifications for the office sought, and that if nominated, the candidate will accept the nomination and not withdraw.</p> <p>The Oath of Office on the Declaration of Candidacy form must be taken and signed by the candidate before a person authorized to administer oaths. The election officials and notaries public are so authorized.</p> <p>A candidate for a voter-nominated office may indicate his or her party preference, or lack of party preference, as disclosed upon the candidate's most recent statement of registration, upon his or her declaration of candidacy. If a candidate indicates his or her party preference on his or her declaration of candidacy, it shall appear on the primary and general election ballot 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 election. 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.</p> <p>The candidate is required to execute the Declaration of Candidacy in the office of the elections official, unless a written statement is signed and dated by the candidate designating a person to receive the Declaration of Candidacy form from the elections official and deliver it to the candidate. The written statement from the candidate shall include language indicating that the candidate is aware that the Declaration of Candidacy must be properly executed and delivered to the elections official in the county of the candidate's residence by the 88th day prior to the general election.</p> <p>Candidates that choose to list a Ballot Designation (Occupation) on the Declaration of Candidacy will be required to submit a Ballot Designation Worksheet that supports the use of that ballot designation by the candidate, in a format prescribed by the Secretary of State. This form is mandatory and must be filled out completely prior to filing the Declaration of Candidacy.</p> <p>Additional Information regarding Ballot Designation limitations follow in this Section "Name & Ballot Designation". If you have any questions about the rules and usage of your Ballot Designation (Occupation) please speak with an Election's Department staff member.</p> <p style="text-align: right;">Elections Code §§ 8002.5(a), 8020, 8023, 8028, 8101, 8105, 13107, 13107.3</p>
<p>Who files</p>	<p>All Candidates</p>
<p>Where to file</p>	<p>With the San Benito County Department of Elections</p>
<p>Deadline</p>	<p>❖ March 9, 2018 ❖ March 14, 2018 Extended, ONLY if the incumbent fails to file. Extensions are by office and do NOT apply to any incumbents.</p>

CANDIDATE FILING DOCUMENTS (CONT...)

Document	<p>Candidate Statement of Qualifications</p> <p>A statement by the candidate describing his or her education and qualifications to be printed in the Voter Information Pamphlet section of the County Sample Ballot booklet. Alternatively, candidates may choose to have a Candidate Statement posted online electronically only for a reduced cost. The statement must be paid for at the time of filing the Declaration of Candidacy unless the district has agreed to pay for the statement.</p> <p>For candidates running for offices that cross into other counties may file separate candidate statements with each county within the jurisdiction by the end of the filing period. Contact the appropriate counties for current filing fees. If the candidate chooses to file a statement in their county of residence, it must be filed at the same time the Declaration of Candidacy is filed.</p> <p>Filed statements may be withdrawn on the first business day following the filing deadline.</p> <p>Candidates for US Senate may purchase space for a 250-word statement in the State Voter Guide. These statements are not filed with the local county election official. US Senate statements are filed with the Secretary of State between the state filing period.</p> <p>The San Benito County Department of Elections requires all candidates regardless if they are submitting a statement or not complete a local form. Refer to Section 5 for more information about filing a Candidate Statement of Qualifications.</p> <p style="text-align: right;">Elections Code §9084, 13307; Government Code §85601</p>
Who files	<p>Optional for All Candidates</p> <p>State Legislative Candidates who agree to adhere to the spending limitations of Prop. 34 may file a statement for printing in the County Voter Information Pamphlet.</p> <p>US Senate Candidates may file a candidate statement with the Elections Division of the Secretary of State's Office in Sacramento.</p> <p>All other candidates may file a candidate statement to be printed in the County Voter Information Pamphlet.</p>
How to file	<p>All candidates who wish to publish their statement in the County Voter Information Guide, or the online version, are required to submit both an electronic copy and hard copy of their Candidate Statement.</p> <ol style="list-style-type: none"> 1. Submit an electronic copy of the statement, in Word format, to the election's department via email at: sbcvote@cosb.us <ul style="list-style-type: none"> ❖ Note, failure to submit an electronic copy will result in a non-filing penalty. 2. Bring a printed copy of the statement when filing the Declaration of Candidacy.
Deadline	<ul style="list-style-type: none"> ❖ March 9, 2018 Filed when the Declaration of Candidacy is filed ❖ March 14, 2018 Extended, ONLY if the incumbent fails to file. Extensions are by office and do NOT apply to any incumbents ❖ February 14, 2018 For US Senate candidates filing with the Secretary of State

CANDIDATE FILING DOCUMENTS (CONT...)

Document	<p>Code of Fair Campaign Practices</p> <p>In 1982, legislation was passed which established a "Code of Fair Campaign Practices" in California which could be voluntarily subscribed to by candidates for public office.</p> <p>The code reads as follows:</p> <p>There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.</p> <p>THEREFORE:</p> <ol style="list-style-type: none"> (1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit this criticism. (2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life. (3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code. (4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting. (5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees. (6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group that resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics which I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections. (7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process. <p style="text-align: right;">Elections Code §20400-20444</p>
Who files	Optional for All Candidates
Deadline	<ul style="list-style-type: none"> ❖ March 9, 2018 Filed when the Declaration of Candidacy is filed ❖ March 14, 2018 Extended, ONLY if the incumbent fails to file. Extensions are by office and do NOT apply to any incumbents

Document	<p>Statement of Economic Interests (Form 700)</p> <p>State law (the Political Reform Act of 1974) requires candidates for federal, state and county offices to disclose their interests in real property and income within the past 12 months in a Statement of Economic Interests (Form 700) to be filed with the Declaration of Candidacy.</p> <p>EXCEPTION: This statement is not required of a candidate who has filed a statement for the same jurisdiction as an officeholder within sixty (60) days prior to assuming office or filing the Declaration of Candidacy.</p> <p>Candidates for federal offices file under federal rather than state disclosure laws. For information, candidates for U.S. Representatives should write to: Office of the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington D.C., (202) 225-1300.</p> <p>Under state law, persons filing economic interest's statements as candidates are required to disclose investments and interests in real property and income within the past 12 months.</p> <p>Statements of Economic Interests are public record. They may be inspected by anyone and copies may be purchased from the filing officer for 10 cents per page.</p> <p>Visit Section 5 "Campaign Disclosure Forms" or the FPPC Website for more information at http://www.fppc.ca.gov/Form700.html</p> <p style="text-align: right;">Gov. Code §81008, 87200, 87201, 87202, 87203, 87500</p>
Who files	All Candidates EXCEPT Federal Offices
Deadline	<ul style="list-style-type: none"> ❖ March 9, 2018 Filed when the Declaration of Candidacy is filed or no later than this date ❖ March 14, 2018 Extended, ONLY if the incumbent fails to file. Extensions are by office and do NOT apply to any incumbents

Document	<p>Campaign Disclosure Statements (FPPC)</p> <p>Periodic statements disclosing contributions made to and expenditures made by the candidate or committee. Must be filed at least once and possibly several times during an election cycle if more than \$2,000 is being raised or spent (Refer to Section 5 for detailed information):</p> <ul style="list-style-type: none"> • Under \$2,000 (Forms 501 & 470) • Over \$2,000 (Form 501, 410 & 460) • Other forms may be required depending on your specific campaign <p style="text-align: right;">Government Code §84200, 84218</p>
Who files	All Candidates must file either a short form or a long form depending on how much money will be raised or spent.
Deadline	Refer to "Campaign Filing Schedule" located in Section 5

EXCERPTS FROM ELECTION CODE & GOVERNMENT CODE

Article 1. General Intent

20400. The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

Article 2. Definitions

20420. As used in this chapter, "Code" means the Code of Fair Campaign Practices.

Article 3. Code of Fair Campaign Practices

20440. At the time an individual is issued his or 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 and a copy of this chapter. 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 this chapter 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. The text of the code shall read, as follows:

20441. The Secretary of State shall print, or cause to be printed, blank forms of the code. The Secretary of State shall supply the forms to the elections officials in quantities and at times requested by the elections officials.

20442. The elections official 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.

20443. Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

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

NAME & BALLOT DESIGNATION

Name on Ballot

The candidate states on the Declaration of Candidacy how his/her name should appear on the ballot. This should be recognizable as the name under which the candidate is registered, though the two need not be identical. Example: A candidate registered as “Jonathan William Smith” may use such variations as

- John W. Smith
- John Smith
- J. William "Bud" Smith

If a candidate changes his or 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; or (b) Decree of any court of competent jurisdiction. (Elections Code §[13104](#))

Ballot Designation

The ballot designation is the word or group of words that will appear on the ballot under the candidate's name, designating the principal profession, vocation, or occupation of the candidate. The purpose is to ensure the accurate designation of the candidate upon the ballot in order that an informed electorate may intelligently elect one of the candidates.

A “Ballot Designation Worksheet” must be completed at the time of filing. Elec. Code §[13107.3](#) states:

(a) A candidate who submits a ballot designation pursuant to subdivision (a) of Section [13107](#) shall file a ballot designation worksheet that supports the use of that ballot designation by the candidate, in a format prescribed by the Secretary of State.

(b) The ballot designation worksheet shall be filed with the elections official at the same time that the candidate files his or her declaration of candidacy.

(c) In the event that a candidate fails to file a ballot designation worksheet in accordance with subdivision (a), no designation shall appear under the candidate's name on the ballot. (Amended by Stats. 2009, Ch. 547, §3. Effective January 1, 2010.)

Ballot Designation - Legislative Requirements

The ballot designation is the word or group of words that will appear on the ballot under the candidate's name, designating the principal profession, vocation, or occupation of the candidate.

Elections Code Section [13107](#), [13107.3](#) (Statutes of 2008) and [13107.5](#) governs the ballot designation that a candidate may use. All candidates (except candidates for Justice of the State Supreme Court or Court of Appeal) may choose a ballot designation to appear immediately under their name on the ballot. Each candidate who submits a ballot designation shall file, in addition to the nomination documents filed pursuant to §[8020](#), a ballot designation worksheet that supports the use of that ballot designation by the candidate. The Ballot Designation Worksheet is obtained from the Elections Department.

The ballot designation must be chosen from one of the four categories below:

- 1) **Elective Office:** Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by a vote of the people, or to which he or she was appointed, in the case of a superior court judge.
- 2) **Incumbent:** The word “incumbent” may be used if the candidate is a candidate for the same office that he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior court judge, was appointed to that office.
- 3) **3-word Profession/Occupation/Vocation:** No more than three words designating either the current principal professions, vocations, or occupations of the candidate. If there is no current position, the candidate may use the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. If more than one profession, vocation or occupation is listed, it shall be separated by a slash (“/”).
- 4) **Appointed Incumbent:** The phrase “appointed incumbent” may be used if:
 - a) the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for the election to the same office, or,
 - b) if the candidate is a candidate for election to the same office or to some other office, the word “appointed” and the title of the office.

In either instance, the candidate may **not** use the unmodified word “incumbent” or any words designating the office unmodified by the word “appointed.” However, the phrase “appointed incumbent” shall not be required of a candidate who seeks reelection to an office that he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election.

Community Volunteer ballot designation. (Elections Code §[13107.5](#).)

- (a) A candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section [13107](#), if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:
 1. A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.
 2. A candidate is not engaged concurrently in another principal profession, vocation, or occupation.
 3. A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation, or occupation designation.
- (b) The Secretary of State shall by regulation define what constitutes a community volunteer for purposes of this section.

Titles or Degrees Prohibited

No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name, in the case of any election to any office. (Elections Code §[13106](#))

Unacceptable Designations

Pursuant to Elections Code §[13107\(b\)](#), neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:

- 1) It would mislead the voter.
- 2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
- 3) It abbreviates the word “retired” or places it following any word or words that it modifies.
- 4) It uses a word or prefix, such as “former” or “ex”, which means a prior status. The only exception is the use of the word “retired”.
- 5) It uses the name of any political party, whether or not it has qualified for the ballot.
- 6) It uses a word or words referring to a racial, religious, or ethnic group.
- 7) It refers to any activity that is prohibited by law.

Rejected Ballot Designations

If, upon checking the nomination documents and the ballot designation worksheet described in Section [13107.3](#), the elections official finds the designation to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address provided on the candidate's ballot designation worksheet.

The candidate shall, within three days, excluding Saturday, Sunday, and state holidays, from the date he or she receives notice by registered or certified mail, or from the date the candidate receives actual notice of the violation, whichever occurs first, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide a designation that complies with subdivision (a).

In the event the candidate fails to provide a designation that complies with subdivision (a) within the three-day period specified in paragraph (1), no designation shall appear after the candidate's name. EC §[13107\(c\)\(2\)](#)

Ballot Designation May Not be Changed after Filing

No ballot designation given by a candidate shall be changed by the candidate after the final date for filing nomination papers, except as specifically requested by the election official.

Ballot Designation in Both Primary and General Elections

The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request. ([EC §13107\(e\)](#))

Format of Ballot Designation

In all cases, ballot designations shall be printed in 8-point uppercase and lowercase type.

If the designation selected is so long that it would conflict with the space requirements of Elections Code §[13207](#) and [13211](#), the election official shall use a type size for the designation for each candidate for office sufficiently smaller to meet these requirements.

Whenever a foreign language translation of a candidate's designation is required under the Voting Rights Act of 1965 (42 U.S.C.A. 1971), as amended, to appear on the ballot in addition to the English version, it shall be as short as possible, as consistent as is practicable with Section [13107](#), and shall employ abbreviations and initials wherever possible in order to avoid undue length.

No Ballot Designation

A candidate who does not want a ballot designation should indicate this in the space provided for ballot designation on the Declaration of Candidacy by writing "NONE", or the space may be left blank. If no designation is given, it will be assumed that none is desired.

Secretary of State – Ballot Designation Regulations is available upon request or visit
<http://www.sos.ca.gov/administration/regulations/current-regulations/elections/ballot-designations/>

ADDITIONAL INFORMATION

Position on the Ballot

Randomized Alphabet Drawing and Rotation Requirements

Names of candidates will be arranged on the ballot in accordance with the random alphabet and legal rotation scheme per the Secretary of State.

On March 15, 2018 at 11:00 am, the Secretary of State and each County will conduct a random drawing of the alphabet. Most offices will follow the State random. However, each county which has state legislative offices overlapping with other counties will draw their own random alphabet and candidates from each county will appear according to each separate county's drawing. Statewide and legislative offices will rotate by Assembly District based on the Secretary of States rotation scheme.

§[13112](#)

Insufficient Number of Candidates

All offices in a primary election will appear on the ballot, regardless of the number of candidates, except for Superior Court Judge (see below). However, in a general election, non-partisan offices may have insufficient candidates, which may cause the nominated candidates to be appointed to the office and the office will not appear on the ballot. §[10229](#), [10515](#)

For the office of Superior Court Judge, if, by 5 p.m. on March 9, 2018, only the incumbent has filed nomination papers, his or her name shall not appear on the ballot unless there is filed, within 10 days, a petition indicating that a write-in campaign will be conducted for the office. This petition must be signed by at least 0.1 percent of the registered voters in the county, provided that the petition shall contain at least 100 signatures but need not contain more than 600 signatures.

§[8203](#)

Documentation Completeness

The San Benito County Department of Elections staff members are available to answer any questions you have about filing your nomination. However, the office is not able to provide any legal advice. If you have legal questions we will direct you to find legal counsel.

We recommend you file early. Failure to meet all of the required documents prior to the deadline may disqualify you as a candidate which will cause your name not to appear on the ballot. We recommend scheduling appointments for filing, at: <http://sbcvote.us/registrar-of-voters/candidate-appointment-scheduler/>

INCOMPATIBILITY OF OFFICES

- (a) A public officer, including, but not limited to, an appointed or elected member of a governmental board, commission, committee, or other body, shall not simultaneously hold two public offices that are incompatible. Offices are incompatible when any of the following circumstances are present, unless simultaneous holding of the particular offices is compelled or expressly authorized by law:
- (1) Either of the offices may audit, overrule, remove members of, dismiss employees of, or exercise supervisory powers over the other office or body.
 - (2) Based on the powers and jurisdiction of the offices, there is a possibility of a significant clash of duties or loyalties between the offices.
 - (3) Public policy considerations make it improper for one person to hold both offices.
- (b) When two public offices are incompatible, a public officer shall be deemed to have forfeited the first office upon acceding to the second. This provision is enforceable pursuant to Section 803 of the Code of Civil Procedure.

[Government Code Section 1099](#)

WRITE - IN CANDIDATES

Filing Dates: April 9 through May 22, 2018

Candidates who desire to be a write-in candidate and have his or her name written on the ballot of an election shall fulfill the requirements of Part 3 of Subdivision 8 of the Elections Code, commencing at Section [8600](#).

Write-In Candidacy Procedure

Persons who did not file a Declaration of Candidacy and fulfill their nomination requirements to place their name on the ballot may run for office as a write-in candidate. Write-in votes will be counted and certified in the Statement of Vote only for **qualified write-in candidates** who file the required forms with the Elections Department no later than 14 days prior to Election Day. The Elections Department will forward the forms to the Secretary of State in the case of offices that must be certified by the Secretary of State.

Voters may write-in any person they wish for any office regardless of whether the person has qualified or not. However, the votes will only be tabulated for qualified write-in candidates.

To qualify as a write-in candidate, a person must file with the Elections Department the following documents:

- A **“Statement of Write-in Candidacy”** which shall contain the candidate's name, residence address, a declaration stating that he or she is a write-in candidate, the title of the office for which he or she is running, candidate's 10-year political party preference history; and the date of the election.
- A **“Nomination Petition”** with the requisite number of sponsor signatures required for the office sought.

Signers of nomination petition for write-in candidates shall be voters in the district or political subdivision in which the candidate is to be voted on. **No filing fee or charge shall be required of a write-in candidate.**

Write-in candidates are subject to the same requirements as other candidates with regard to disclosure of economic interests and campaign disclosure. (Gov. Code [§82007](#); Elections Code [§305](#))

The Elections Department will provide polling places with a list of **qualified write-in candidates**.

Offices Omitted From Ballot

Prospective write-in candidates should note that write-in candidacy is possible only if the office appears on the ballot. The following offices will be omitted from the ballot if the number of persons qualifying for the ballot does not exceed the number of places to be filled: Superior Court Judges (if only the incumbent files), County Central Committees/ County Councils, and school districts. (Elections Code [§8203](#); Ed. Code [§5326](#))

Write-ins for Voter-Nominated Offices

In order to have your name placed on the general election ballot for a voter-nominated office, the write-in candidate must receive the highest number of votes cast for the office or the second highest number of votes cast for this office, unless there is a tie or a vacancy. [§8142](#), [8605](#)

A person may not run as a write-in candidate at the General Election for a voter-nominated office. [§8600 \(c\)](#)

SECTION 4:
CANDIDATE'S
STATEMENTS
OF
QUALIFICATIONS

CANDIDATE STATEMENT OF QUALIFICATIONS

Overview

- ❖ All candidates must file a “*Candidate’s Statement Acknowledgment*” with the county elections official whether they are filing a statement or not.
- ❖ The Candidate's Statement is designed to acquaint voters with the candidate's qualifications for the office he or she is seeking.
- ❖ The Statement is incorporated into the Voter’s Information Pamphlet pages of the Sample Ballot produced by the San Benito County Elections Department and mailed to registered voters in the district.
- ❖ Alternatively, the candidate may chose to have a statement published online only, on the San Benito County Elections Website ([CampaignDocs eRetrieval](#)), and in the electronic version of the Voter's Information Pamphlet (LiveBallot). ([13307\(c\)](#))
- ❖ Election materials will only be mailed to those voters who are on the voter rolls 29 days before the election. The voters, who submit voter registration cards after this date but by the 15-day registration deadline, will **NOT** receive a Sample Ballot/Voter Information Pamphlet, only a notice advising the late registrant where to vote and that he/she will not receive a Sample Ballot and Voter's Information Pamphlet. Online of the Sample Ballot/Voter Information Pamphlet will be available to all voters up to and including election day.
- ❖ Each candidate for nonpartisan elective office in any local agency, including any city, county, or district as well as candidates for state legislative office who qualify under Proposition 34 may prepare a Candidate's Statement of Qualifications.
- ❖ Candidates running for the U.S. House of Representatives may purchase space in the county voter information pamphlet for a 250-word statement.

Candidate Statements

In addition to the restrictions set forth in Section 13307, any candidate's statement 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. (Elections Code §[13308](#))

Candidate Statements for Legislative Candidates

State Senate and Assembly legislative candidates, who choose to keep their campaign spending under specified dollar limits, may buy space in the voter information portion of the county sample ballot for a 250-word candidate statement (Government Code section [85601\(c\)](#)).

Sample of a Formatted Candidate's Statement

Below is a sample of a Candidate's Statement of Qualifications, as it would be formatted for the Voter Information Pamphlet.

<p style="text-align: center;">STATEMENT OF CANDIDATE FOR SAN BENITO COUNTY SUPERVISOR, DISTRICT 6</p> <p>CHRIS CANDIDATE Occupation: Teacher Education & Qualifications: Age: 42</p> <p>I can bring to the office a diversity of viewpoints and experience. Born and raised in the Monterey Bay Area, with my family still farming, I can appreciate the concerns of the environmentalist. On the other hand, having been in business since my undergraduate days at UCSC, and with my experience in the rental and real estate fields, I appreciate the practical housing requirements of our community.</p> <p>My credentials include: Graduate of local high schools; UCSC graduate with a B.S. and MBA; US Air Force sergeant; Married and parent of 2; and Homeowner</p> <p>In addition, I have either serve or am serving in the following clubs and organizations: Rotary; Chamber of Commerce; Sierra Club; PTA; Arts Council; Rock the Vote, and the League of Women Voters.</p> <p>If elected to this office, I will do my best to serve as a leader and role model for our community and children. Vote for My Name. www.myname.com 410-555-1212</p>	<p><i>Other Candidate's Statement will appear here in English.</i></p>
<p style="font-size: small; margin: 0;">EACH CANDIDATE'S STATEMENT OF QUALIFICATIONS IS PRINTED EXACTLY AS SUBMITTED BY THE CANDIDATE. CADA DECLARACIÓN DE CALIFICACIÓN DE CANDIDATO SE IMPRIME EXACTAMENTE COMO LA PRESENTÓ EL CANDIDATO.</p>	
<p>The Spanish translation of the above candidate's statement will appear directly below the English version.</p> <p style="text-align: center;"><i>(Current fees for candidate statements include the cost of translations)</i></p>	<p><i>Spanish translation of the above statement will appear directly below the English version.</i></p>

NOTE: If your candidate's statement exceeds the 3.75" wide by 4.5" tall quarter page provided for each statement, paragraphs will be run together in order to make the statement fit on the quarter page.
 Or, the printer will reformat to fit in the space allotted.

Where, When and How to File

PERIOD FOR FILING:	<p>Feb 12 - Mar 9 by 5 p.m.</p> <p>The statement must be paid for and filed with the Declaration of Candidacy. §13307(a)(2)</p>
EXTENDED PERIOD:	<p>Mar 12 - Mar 14 by 5 p.m.</p> <p>If the Nomination filing period is extended, then all persons, other than the incumbent, have until the end of the extended period, in which to file their Candidate's Statement along with their Declaration of Candidacy</p>
PUBLICATION	<p>Candidates have the option of publishing the Candidate's Statement in the County Voter Information Guide when printed, or in the online version only.</p>
METHOD OF SUBMITTAL	<ol style="list-style-type: none"> 1. Prior to submission, the candidate should email one electronic copy of the statement to sbcvote@cosb.us. 2. Candidate shall supply 1 printed paper copy of the statement at the time of submission.
WHERE:	<p>Elections Department, 440 Fifth Street, 2nd Floor, Hollister, CA 95023, 831-636-4016. Regular office hours – 8 a.m. to 5 p.m., Monday through Friday (excluding holidays). Candidate's Statements cannot be filed by FAX pursuant to Secretary of State Guidelines.</p>
CONTENTS:	<p>The statement contains the candidate's:</p> <ol style="list-style-type: none"> 1. name 2. age (optional) 3. occupation (optional), and 4. a brief description, not exceeding the maximum word limit for the office sought, of the candidate's education and qualifications expressed by the candidate. The word count for items 1-3 above do NOT count towards the word limit. <p style="text-align: right;">§13307(a)(1)</p>
RESTRICTIONS:	<p>The candidate's statement shall not include the party affiliation of the candidate nor membership or activity in partisan political organizations. §13307(a) (1)</p>
CONFIDENTIALITY:	<p>Statements remain confidential until 5 p.m. on the last day to file. §13311</p>
WITHDRAWAL / CHANGES:	<p>The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5 p.m. of the next working day after the close of the nomination period. The statement must be filed with the Declaration of Candidacy. §13307(a)(3)</p>
PAYMENT:	<p>Cost for printing a candidate's statement in the Voter's Information Pamphlet shall be paid at the time of filing the statement with the Declaration of Candidacy. Checks are made payable to: "SBC Elections" §13307(c)</p> <p>Note: Failure to submit an electronic copy of the statement, will result in a penalty being assessed.</p>

Procedure, Content & Word Count

PROCEDURE

1. Candidates are to submit their Statement in an electronic format (**Word or word processor type of format is requested.** PDF formats will require conversion to a Word format and conversion issues may occur, therefore we do not recommend this type of format). Electronic formatted statements must be emailed to the Election's Department email account: sbcvote@cosb.us
2. Candidates will also submit a typed copy of their statement on paper.
3. Candidates may type their statement and attach to the required "Candidate Statement Acknowledgement" form.
4. The Department will print one copy from the electronic format version for the candidate to verify and sign.
5. If there is a discrepancy between the content of the printed hard copy and the content submitted electronically, the executed hard copy content will prevail.

CONTENT

1. Be accurate. **Documents will be printed as submitted.** Spelling, punctuation, and grammatical errors **cannot** be corrected by the elections department.
2. Candidates for nonpartisan offices shall not include the party affiliation of the candidate nor membership or activity in partisan political organizations. (§[13307\(a\)\(1\)](#))
3. Statements may not make reference to other candidates or to another candidate's qualifications, character, or activities. (§[13308](#))
4. No statement shall contain any demonstrably false, slanderous or libelous statements (§[13307\(d\)](#)).
5. The heading includes the candidate's name and office sought, followed by a line for the candidate's occupation and age (if provided). These are standardized headings which are included in the quarter page space provided. These words, however, do not count toward the number of words allowed for the statement.
6. The "**Occupation**" field in the Candidate's Statement is NOT governed by the laws and regulations pertaining to the ballot designation that appears underneath the candidate's name on the ballot. Therefore, it may be different from the candidate's ballot designation. However, if its length extends beyond one line, words appearing on the second line will be counted toward the 200-word maximum.

WORD COUNT

1. Candidates for County Offices and County Supervisor are limited to **200 words**.
2. Candidates for State Senate and State Assembly are limited to **250 words**.
3. School Districts may very so refer to "[Candidate Statement Word Limits & Cost](#)".
4. See the chart "[How to Count Words](#)" included in this section.

FORMAT

1. Statements are printed in the Voter's Information Pamphlet in type of uniform size, darkness and spacing.
2. Format all text flush left. Centering or right-flush formatting is not permitted.
3. **Bolding**, CAPITALIZING, underlining, and bullets, are not permitted.
(Exception) Capitalizing abbreviations or acronyms is acceptable.
4. Statements that contain non-permitted formats will be converted to normal text without these attributes.
[Refer to Sample of a Formatted Candidate's Statement](#)

REMEMBER

1. EMail an electronic copy, in Word format, to sbcvote@cosb.us before you file your nomination papers
2. Have the statement with you when the nomination papers are filed.
3. Check for accuracy before you file.
4. By law the Department of Elections CANNOT make any corrections.

Cost of Printing Candidate's Statements

PAYMENT

The statement may be paid for by check made payable to the "SBC Elections." or cash if the candidate is using personal funds. The fee shall be paid when the statement is submitted if the candidate wants to have a statement printed in the Voter's Information Pamphlet.

If the Candidate's Statement is withdrawn by 5 p.m. on *March 12 (or by March 15 if there is an extension) the fee will be refunded in full. *Adjusted to the next business day after the close of nominations.

PRINTING IN SPANISH

San Benito County is required to print statements in Spanish; therefore, all statements will be printed in Spanish in San Benito County's Voter Information Pamphlet as well as English. The bilingual Sample Ballots/Voter Information Pamphlets of the ballot with the ballot measures, candidate statements and ballot instructions will be available at each polling place on Election Day. The cost of printing candidate statements in both English and Spanish are included in the Candidate Statement Fee. [§14201](#)

OVERLAPPING DISTRICTS

Important notice to candidates in districts that encompass more than one county. Procedures, requirements, fees, formats and public examination periods for candidates' statements may vary between counties. It is the candidate's responsibility to **FILE** in **each county** in which he or she wishes to have a statement printed. **San Benito County cannot accept candidate statement on behalf of another County (refer to "[Neighboring Counties](#)" contact page for filing locations.)**

Candidates' statements shall be filed in the office of the election official of **each county** within the district in which the candidate wishes a statement to be printed when filing nomination documents, not later than 5:00 p.m. on March 9 (the 88th day prior to the election), or in the event that the nomination period has been extended, until 5:00 p.m. on March 14 (the 83rd day prior to the election).

It is strongly recommended that the candidate file the statement personally. If the statement is filed by someone other than the candidate, that person should have the authority to make corrections or deletions to the statement in the event that errors or an excess number of words are detected prior to filing the statement. Statements may not be changed after filing unless authorized by a court order. They may however be withdrawn only until the 1st business day after the nomination filing period ends for the office sought.

Candidate Statement Word Limit & Costs

STATEWIDE OFFICES – PAID TO SECRETARY OF STATE		
DISTRICT	WORD LIMIT	COST OF STATEMENT
All Statewide Offices	250	Filed with the S.O.S.

US REPRESENTATIVE IN CONGRESS - PAID TO THE COUNTY CLERK			
DISTRICT	WORD LIMIT	COST OF STATEMENT - Printed & Online	COST OF STATEMENT - Online Only
20 th Congressional	250	\$450 per 1/4 page	TBD

*** 1/4 page English and 1/4 page Spanish Required (updated 2/20/2018)*

STATE LEGISLATIVE OFFICES - PAID TO THE COUNTY CLERK			
DISTRICT	WORD LIMIT	COST OF STATEMENT - Printed & Online *	COST OF STATEMENT - Online Only
12 th Senate <i>Added 1/10/2018</i>	250	\$450 per 1/4 page	TBD
30 th Assembly	250	\$450 per 1/4 page	TBD

*** 1/4 page English and 1/4 page Spanish Required (updated 2/20/2018)*

SCHOOL OFFICES - PAID TO THE COUNTY CLERK			
DISTRICT	WORD LIMIT	COST OF STATEMENT - Printed & Online **	COST OF STATEMENT - Online Only
Superintendent of Schools	200	\$450 per 1/4 page	TBD

*** Countywide offices = \$450 (updated on 2/2/2018)*

*** 1/4 page English and 1/4 page Spanish Required (updated 2/20/2018)*

JUDICIAL OFFICES - PAID TO THE COUNTY CLERK

DISTRICT	WORD LIMIT	COST OF STATEMENT - Printed & Online **	COST OF STATEMENT - Online Only
Superior Court Judge, No. 1	200	\$450 per 1/4 page	TBD
Superior Court Judge, No. 2	200	\$450 per 1/4 page	TBD

*** Countywide offices = \$450 (updated on 2/2/2018)*

*** 1/4 page English and 1/4 page Spanish Required (updated 2/20/2018)*

COUNTY OFFICES - PAID TO THE COUNTY CLERK

OFFICE	WORD LIMIT	COST OF STATEMENT - Printed & Online **	COST OF STATEMENT - Online Only
Board of Supervisor (Dist. 3)	200	\$350 per 1/4 page	TBD
Board of Supervisor (Dist. 4)			
Assessor	200	\$450 per 1/4 page	TBD
County Clerk/Auditor/Recorder			
District Attorney			
Sheriff/Coroner			
Treasurer/Tax Collector/PA			

*** Countywide offices = \$450 (updated on 2/2/2018)*

*** 1/4 page English and 1/4 page Spanish Required (updated 2/20/2018)*

How To Count Words

(Pursuant to Elections Code Section 9)

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

Each word is counted as one word except:

Punctuation:	Punctuation is not counted.
Titles:	Words used in the title of arguments, rebuttals, and analyses, such as "Argument in Favor of Measure A" are not counted. All words used in the 75-word ballot question are counted except for the letter designating the measure. Words used in the heading of a candidate's statement, including the office title, candidate's name, occupation and age are not counted.
Cities / Counties:	All geographical names shall be counted as one word. Areas that have political boundaries with an elected or appointed board are considered geographic areas by this office. For example, "County of San Benito" and "Hollister Unified School District" shall each be counted as one word.
Abbreviations:	Each abbreviation for a word, phrase, or expression shall be counted as one word.
Hyphenations:	Hyphenated words that appear in any generally available dictionary shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
Dates:	Dates shall be counted as one word regardless of how they are written (1/1/2015 or January 1, 2015).
Numbers:	Any number consisting of a digit or digits shall be considered as one word. "100" shall be counted as one word Any number that is spelled shall be considered as separate words. "one hundred" shall be counted as two words
Phone & Internet:	Website addresses and telephone numbers are one word.
Number Symbols:	Percent Signs (%), Number Signs (#), etc.: It is department policy to count numbers consisting of a digit or digits used with a dollar sign (\$), cent sign (¢), percentage sign (%), or number sign (#) as one word.

Legal Examination of Candidate Statements and Writs of Mandate

Examination Period for Candidate Statements

After the filing deadline for candidate statements, the statements may be reviewed by the public for 10-calendar days. During this 10-calendar day examination period any voter of the jurisdiction in which the election is being held may take legal action to challenge the contents of the statement. The first filing deadline is Friday, March 9, 2018 and the 10-calendar day deadline is Monday, March 19, 2018. The extension period filing deadline is Wednesday, March 14, 2018 and the 10-calendar day deadline would be Monday, March 26, 2018*.

We recommend that anyone wishing to pursue a legal challenge to a candidate statement file a petition for a writ of mandate (along with an ex parte application) early in the 10-calendar day period. Waiting until the end of the examination period leads to the risk that a judge may deny the request due to the fact that any changes will interfere with the printing and distribution of the sample ballots to voters.

Elections Code Section [13313](#) states:

- (a) The elections official shall make a copy of the material referred to in Section [13307](#) available for public examination in the elections official's office for a period of 10-calendar days immediately following the filing deadline for submission of those documents. Any person may obtain a copy of the candidate's statements from the elections official for use outside of the elections official's office. The elections official may charge a fee to any person obtaining a copy of the material, and the fee may not exceed the actual cost incurred by the elections official in providing the copy.
- (b)
 - (1) During the 10-calendar day public examination period provided by this section, any voter of the jurisdiction in which the election is being held, or the elections official, himself or herself, may seek a writ of mandate or an injunction requiring any or all of the material in the candidates statements to be amended or deleted. The writ of mandate or injunction request shall be filed no later than the end of the 10-calendar day public examination period.
 - (2) A peremptory writ of mandate or an injunction shall issue only upon clear and convincing proof that the material in question is false, misleading, or inconsistent with the requirements of this chapter, and that issuance of the writ or injunction will not substantially interfere with the printing or distribution of official election materials as provided by law.
 - (3) The elections official shall be named as respondent and the candidate who authored the material in question shall be named as the real party in interest. In the case of the elections official bringing the mandamus or injunctive action pursuant to this subdivision, the board of supervisors of the county shall be named as the respondent and the candidate who authored the material in question shall be named as the real party in interest.

Procedure for Writs

Any person desiring to file an ex parte application for a writ of mandate may wish to consult the California Rules of Court, Rules 3.1200 through 3.1207, in addition to any other relevant rules or statutes, for the proper procedure. The California Rules of Court may be located online at the California Judicial Council's website: <http://www.courts.ca.gov/rules.htm>.

Including Improper Material in Candidate Statements

Elections Code section [13307](#), subd. (d) provides that:

Nothing in this section shall be deemed to make any such 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 Information portion of the Sample Ballot.

Elections Code section [18351](#) further provides that:

Any candidate in an election or incumbent in a recall election who knowingly makes a false statement of a material fact in a candidate's statement, prepared pursuant to Section [11327](#) or [13307](#), with the intent to mislead the voters in connection with his or her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed one thousand dollars (\$1,000) or the current fine amount required by law..

SECTION 5:
CAMPAIGN
DISCLOSURE
STATEMENTS
(FPPC)

CAMPAIGN DISCLOSURE RECENT CHANGES 2016

In September and October 2015, there were several legislative and regulatory changes made to the Political Reform Act.

San Benito County Department of Elections has attempted to update the guide with all the new regulations. However, if there is any conflict between this handbook and current law / regulation, current law / regulations will prevail. Visit the Fair Political Practice Commission's website for current forms and requirements for filing campaign disclosure forms at www.fppc.ca.gov.

IMPORTANT INFORMATION TO NOTE

Campaign Changes

Legislative Changes

Committee qualification threshold: The recipient committee qualification threshold was raised from \$1,000 to \$2,000. (AB 594 (Gordon) – Chapter 364, Statutes 2015)

Supplemental pre-election statements and supplemental independent expenditure reports: Forms 495 and 465 were eliminated because new reporting requirements had made them redundant. The extension of the 24-hour reporting for contributions and independent expenditures from 16 to 90 days before an election enacted in 2012 made these statements unnecessary. (AB 594 (Gordon) – Chapter 364, Statutes 2015)

90-day 24-hour reporting period: The 90-day 24-hour reporting period was amended to include the election date itself, in addition to the 90 days before the election. This makes the 90-day 24-hour reporting period for state and local committees consistent. (AB 594 (Gordon) – Chapter 364, Statutes 2015)

Pre-election filing requirements: The requirements for candidates and committees to file two pre-election campaign statements were clarified. For example, city major donors are no longer required to file pre-election statements and only file semiannual statements like county and state major donors. Uniform timelines for the date of pre-election filings were also enacted. (AB 594 (Gordon) – Chapter 364, Statutes 2015)

Ad disclosure: Campaign advertisement disclosure statements must be printed in no less than 14-point, bold, sans serif type font. An advertisement supporting or opposing a candidate that is paid for by an independent expenditure must include a disclosure statement with specific content. If the advertisement is mailed, the disclosure statement must be located within a quarter of an inch of the recipient's name and address and be contained in a box that meets prescribed criteria for line width and has a contrasting color background to the rest of the mailer. (AB 990 (Bonilla) – Chapter 747, Statutes 2015, effective October 10, 2015)

Regulatory Changes

Multipurpose organization reporting: Multipurpose organizations such as nonprofit organizations and federal or out-of-state PACs report their political spending in California under Section 84222. Regulation 18422, interpreting Section 84222, explains that a multipurpose organization that is disclosing its most recent contributors using a last in, first out (LIFO) accounting method must send a “major donor notice” to contributors who meet the thresholds in Section 84105 and Regulation 18427.1. Similarly, a multipurpose organization must send an expedited “nonprofit filer notice” if it identifies a donor that gave more than \$50,000. The notices state that the donor could be required to file campaign statements. The amended regulation clarifies that the major donor notices and multi-layer reporting apply equally to federal PACs and out-of-state committees. To determine which donors would receive the notices, the federal PACs would refer to their federal reports and send notices to the most recent donors identified on that report prior to the date of the expenditure who gave at the required thresholds. Additionally, Section 84222 and Regulation 18422 supersede Regulation 18413, which was previously enacted to provide reporting requirements for certain eligible 501(c)(3) organizations making occasional independent expenditures.

Top contributor disclosure: A state ballot measure committee or candidate independent expenditure committee that raises \$1,000,000 or more submits a list of its top ten contributors to the FPPC for posting (Section 84223). When a state recipient committee is listed as a top 10 contributor and the state recipient committee has received contributions aggregating \$50,000 or more, from a single source, during the current two-year election period, the names of the top two contributors must be listed. Regulation 18422.5 implements the change.

Made at the behest; independent versus coordinated expenditures: The Commission updated Regulation 18225.7 describing when a contribution or expenditure is “made at the behest of” or coordinated with a candidate or committee. An outside committee’s or person’s spending is presumed to be coordinated with a candidate, and not independent, in the following situations: (i) if the candidate and the outside group share common consultants over the course of the primary and general elections; (ii) if the candidate participates in fundraising for an outside committee that is primarily formed to support that candidate or oppose their opponent; (iii) if the outside group is established or run by former staffers of the candidate; and (iv) if the outside group is established or principally funded by family members of the candidate.

OTHER CHANGES

Legislative Changes

Behested payments: A payment made at the behest of an elected officer is exempt from the behested payments reporting requirement if the payment is made by a state, local, or federal government agency and is principally for legislative or governmental purposes. The payment is exempt from reporting requirements regardless of who received the payment. For example, a government agency could make the payment to another government agency, a nonprofit or a private third party and it would not have to be reported as a behested payment. (AB 1544 (Cooley) – Chapter 756, Statutes 2015, effective October 10, 2015)

Nonprofit organization travel payments: Nonprofit organizations that make travel payments of \$5,000 or more for one elected state or local officeholder or \$10,000 or more a year for elected state or local elected officeholders, and whose expenses for such travel payments total 1/3 or more of the organization’s total expenses in a year as reflected on the organization’s Internal Revenue Service Form 990, must disclose to the Commission the names of donors who donated \$1,000 or more and also went on the trips. (SB 21 (Hill) - Chapter 757, Statutes 2015)

CAMPAIGN FILING SCHEDULE (LOCAL)

CANDIDATES AND CONTROLLED COMMITTEES FOR LOCAL OFFICES

Filing Deadline	Type of Statement (Form)	Period Covered ¹	Method of Delivery
Within 24 Hours	Late Contributions and Independent Expenditures of \$1000 or More (497)	<i>Dates may be changing due to new legislation contact the FPPC for current requirements</i>	<ul style="list-style-type: none"> ❖ Personal Delivery ❖ Email ❖ Guaranteed Overnight Service ❖ Fax ❖ Online, via eCampaign²
January 31, 2018	Semi-Annual (460 or 470)	7/1/17 - 12/31/17	<ul style="list-style-type: none"> ❖ Personal Delivery ❖ First Class Mail ❖ Online via eCampaign²
April 26, 2018	1st Pre-Election (460 or 470)	1/1/18 - 4/21/18	<ul style="list-style-type: none"> ❖ Personal Delivery ❖ First Class Mail ❖ Online via eCampaign²
May 24, 2018	2nd Pre-Election (460)	4/22/18 - 5/19/18	<ul style="list-style-type: none"> ❖ Personal Delivery ❖ Guaranteed Overnight Service ❖ Online via eCampaign²
July 31, 2018	Semi-Annual (460)	5/20/18 - 6/30/18	<ul style="list-style-type: none"> ❖ Personal Delivery ❖ First Class Mail ❖ Online via eCampaign²

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

² *eCampaign is the County's online electronic Campaign Finance filing system. Accounts are created for all candidates and login information is provided at the time of filing Candidacy paperwork*

- **Filing Deadlines:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to the deadline for the Form 497 that is due the weekend before the election. Such reports must be filed within 24 hours regardless of the day of the week. Statements filed after the deadline are subject to a \$10 per day late fine.
- **Method of Delivery:** All paper filings are filed by personal delivery or first class mail unless otherwise noted. A paper copy of a report may not be required if a local agency requires online filing pursuant to a local ordinance.
- **Form 501:** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.
- **Form 460:** Candidates who have raised/spent \$2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent. During 2015, these thresholds were at \$1,000.
- **Form 470 (2016):** Candidates who do not have an open committee and do not raise or spend \$2,000 in 2016 may file Form 470 on or before April 26, 2018. If, after filing the Form 470, a campaign committee must be formed in connection with the election, a Form 470 Supplement and a Form 410 must be filed.
- **Form 497 – 24-Hour Contribution Report:** File if a contribution of \$1,000 or more is **made** in connection with a candidate or measure being voted upon in another city, county or state election, or **made to a political party committee** 90 days before a state election in 2018.
- **Candidates:** After an election, reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open.
- **Local Ordinance:** Always check on whether additional local rules apply.
- **Public Documents:** All forms are public documents. Campaign manuals and instructional materials are available at www.fppc.ca.gov.
- Candidates listed on the June 5, 2018, ballot who make expenditures other than those for their own campaign should contact the FPPC for additional filing requirements.
- Learn more about candidate and treasurer responsibilities by logging on to the FPPC's informational [webinar!](#)

CAMPAIGN FILING SCHEDULE (STATE)

**CANDIDATES FOR STATE OFFICE
COMMITTEES PRIMARILY FORMED TO SUPPORT/OPPOSE CANDIDATES FOR STATE OFFICE
COMMITTEES PRIMARILY FORMED TO SUPPORT/OPPOSE STATE MEASURES**

Visit the FPPC Website at www.fppc.ca.gov for the current "State Filing Schedule"

CAMPAIGN DISCLOSURES (FEDERAL CANDIDATES)

Provisions of the Political Reform Act do not apply to elections for federal offices, including U.S. Senate and U.S. Representative in Congress. Candidates for federal offices and committees that participate in federal campaigns are subject to federal disclosure requirements. Assistance for federal candidates and committees may be obtained from the:

**Federal Election Commission - 800-424-9530
999 E Street, N.W. - Washington, D.C. 20463**

GENERAL INFORMATION

Filing is the Responsibility of the Candidate and/or Committee

It is the responsibility of candidates and/or committees to be aware of and to file the required campaign disclosure statements in a correct and timely manner.

Late Filings

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

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

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

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

Multiple Committee Filing Requirements

Whenever a candidate or officeholder has more than one committee, whether the committees are formed for the same office, or a different office in the same jurisdiction, all committees must file statements each time a committee statement is due.

Whenever an elected officeholder in one jurisdiction runs for an elected office in another jurisdiction, the officeholder and all committees he/she controls must file campaign disclosure statements with the filing officer in the jurisdiction in which the officeholder holds office **AND** in which the officeholder is seeking office.

CALIFORNIA CONTRIBUTION LIMITS

Candidates seeking a state office and committees that make contributions to state candidates are subject to contribution limits from a single source. Contributions from affiliated entities are aggregated for purposes of the limits. (Regulation 18215.1.)

REFER TO MANUAL 4 CHAPTER - 5 STATE CONTRIBUTION LIMITS (Following Pages)

CAMPAIGN DISCLOSURE MANUALS

The campaign disclosure and lobbying manuals are prepared to assist candidates, committees and lobbyists in complying with the Act's numerous and often detailed rules. The manuals are written in a "user friendly" format and contain several examples, FAQs and Quick Tips. If a committee's or lobbyist's activity raises issues not discussed in the applicable manual, contact the FPPC for assistance.

To help better serve you, in addition to providing a link to the entire manual, there are links to each chapter of each manual for faster download. (These links are available via the FPPC website at <http://www.fppc.ca.gov/learn/campaign-rules/campaign-disclosure-manuals.html> or the electronic version of this handbook which is available at <http://sbcvote.us/registrar-of-voters/candidate-info/forms-manuals/> under the "Candidate's Handbook heading.

Campaign Disclosure Manual 1 Information for State Candidates, Their Controlled Committees, and Primarily Formed Committees for State Candidates (Revised 11/2015)

- [Entire Manual 1](#)
- [Introduction](#)
- [Chapter 1 - State Contribution and Expenditure Rules](#)
- [Chapter 2 - Getting Started](#)
- [Chapter 3 - Finances and Recordkeeping](#)
- [Chapter 4 - Contributions](#)
- [Chapter 5 - Contribution Restrictions](#)
- [Chapter 6 - Use of Campaign Funds](#)
- [Chapter 7 - Communications](#)
- [Chapter 8 - Advertisement Disclaimers](#)
- [Chapter 9 - Committee Report - Form 460](#)
- [Chapter 10 - When and Where to File Form 460](#)
- [Chapter 11 - After the Election](#)
- [Chapter 12 - Primarily Formed Committees Reporting Independent Expenditures](#)
- [About the Political Reform Act/How to Get Help](#)

Campaign Disclosure Manual 2 Information for Local Candidates, Superior Court Judges, Their Controlled Committees, and Primarily Formed Committees for Local Candidates (Revised 03/2015)

- [Entire Manual 2](#)
- [Introduction](#)
- [Chapter 1 - Getting Started](#)
- [Chapter 2 - Finance Rules](#)
- [Chapter 3 - Contributions](#)
- [Chapter 4 - Contribution Restrictions](#)
- [Chapter 5 - Use of Campaign Funds](#)
- [Chapter 6 - Communications](#)
- [Chapter 7 - Advertisement Disclaimers](#)
- [Chapter 8 - Committee Reports \(Form 460\)](#)

- [Chapter 9 - When and Where to File Form 460](#)
- [Chapter 10 - Additional Reports](#)
- [Chapter 11 - After the Election](#)
- [About the Political Reform Act/How to Get Help](#)

Campaign Disclosure Manual 3 *Information for Ballot Measure Committees (Revised 03/2015)*

- [Entire Manual 3](#)
- [Introduction](#)
- [Chapter 1 - What is a Ballot Measure Committee?](#)
- [Chapter 2 - Finances/Recordkeeping](#)
- [Chapter 3 - Contributions](#)
- [Chapter 4 - Contribution Restrictions](#)
- [Chapter 5 - Use of Campaign Funds](#)
- [Chapter 6 - Communications](#)
- [Chapter 7 - Advertisement Disclaimers](#)
- [Chapter 8 - 24-Hour Contribution Reports \(Form 497\)](#)
- [Chapter 9 - Committee Reports \(Form 460\)](#)
- [Chapter 10 - When and Where to File Form 460](#)
- [Chapter 11 - Additional Reports](#)
- [Chapter 12 - After the Election](#)
- [Chapter 13 - Multipurpose Organizations](#)
- [Appendix - About the Political Reform Act/How to Get Help](#)

Campaign Disclosure Manual 4 *Information for General Purpose Committees (Adopted 01/2015)*

- [Entire Manual 4](#)
- [Introduction](#)
- [Chapter 1 - What is a General Purpose Committee?](#)
- [Chapter 2 - Statement of Organization \(Form 410\)](#)
- [Chapter 3 - Finances/Recordkeeping](#)
- [Chapter 4 - Contributions](#)
- [Chapter 5 - State Contribution Limits](#)
- [Chapter 6 - Contribution Restrictions](#)
- [Chapter 7 - Use of Campaign Funds](#)
- [Chapter 8 - Communications](#)
- [Chapter 9 - Advertisement Disclaimers](#)
- [Chapter 10 - 24-Hour Contribution Reports \(Form 497\)](#)
- [Chapter 11 - Independent Expenditure Reporting](#)
- [Chapter 12 - Committee Reports \(Form 460\)](#)
- [Chapter 13 - When and Where to File Form 460](#)
- [Chapter 14 - Political Party Committees](#)
- [Chapter 15 - Multipurpose Organizations](#)
- [Appendix - About the Political Reform Act/How to Get Help](#)

Campaign Disclosure Manual 5 *Information for Major Donor Committees (Revised 01/2015)*

- [Entire Manual 5](#)
- [Introduction](#)
- [Chapter 1 - Are You a Committee?](#)
- [Chapter 2 - Contributions](#)
- [Chapter 3 - Advertisement Disclaimers](#)
- [Chapter 4 - Reporting Requirements](#)
- [Appendix - About the Political Reform Act/How to Get Help](#)

Campaign Disclosure Manual 6 *Information for Independent Expenditure Committees (Revised 01/2015)*

- [Entire Manual 6](#)
- [Introduction](#)
- [Chapter 1 - Committee Qualification](#)
- [Chapter 2 - Advertisement Disclaimers](#)
- [Chapter 3 - Reporting](#)
- [Appendix - About the Political Reform Act/How to Get Help](#)

Campaign Disclosure Manual 7 *Information for Slate Mailer Organizations (Adopted 01/2015)*

- [Entire Manual](#)
- [Introduction](#)
- [Chapter 1 - What is a Slate Mailer Organization?](#)
- [Chapter 2 - Disclaimer Requirements](#)
- [Chapter 3 - Reporting Requirements](#)
- [Chapter 4 - Recordkeeping Requirements](#)
- [Appendix - About the Political Reform Act/How to Get Help](#)

CAMPAIGN DISCLOSURE FORMS

Below is a comprehensive list of every FPPC form with brief explanations of who must file the form. If you have questions about your obligations under the Act, you can always [Request Advice from the FPPC](#).

Form 700

Form 700 *Statement of Economic Interests*

Every public official who makes or participates in making governmental decisions is required to file a Statement of Economic Interest, commonly referred to as the Form 700. For detailed instructions about how to fill out and submit a Form 700, please visit [How to File a Form 700](#).

- [Form 700](#) - Statement of Economic Interests

Campaign Forms

Form T10 *Committees Primarily Formed for State Ballot Measures or Candidates*

The Form T10 must be filed by committees primarily formed to support or oppose a state ballot measure that raise \$1,000,000 or more, and have contributions of \$10,000 or more from a single source. The T10 must also be filed by committees primarily formed to support or oppose a state candidate that raise \$1,000,000 or more, and have received contributions of \$10,000 or more from a single source (this does not include a committee controlled by a state candidate for his or her own election).

- [Form T10](#) - Committees Primarily Formed for State Ballot Measures or Candidates
- [Form T10 Instructions](#)

Form 400 *Slate Mailer Organization Statement of Organization*

The Form 400 must be filed within 10 days after the slate mailer organization receives, or is promised to receive, \$500 or more for producing one or more slate mailers.

- [Form 400](#) - Slate Mailer Organization Statement of Organization

Form 401 *Slate Mailer Organization Campaign Statement*

The Form 401 is filed by slate mailer organizations to disclose payments made and received in connection with producing slate mailers.

- [Form 401](#) - Slate Mailer Organization Campaign Statement

Form 402 *Slate Mailer Organization Statement of Termination*

The Form 402 is filed by slate mailer organizations to terminate the organization.

- [Form 402](#) - Slate Mailer Organization Statement of Termination

Form 410 *Statement of Organization*

The Form 410 must be filed within 10 days of receiving \$2,000 in contributions. When filing the Form 410, include a \$50 payment made payable to the Secretary of State. If your committee has not yet reached the \$2,000 threshold, mark the "not yet qualified" box. The \$50 fee is requested at this time but is not legally required until the group qualifies as a committee.

- [Form 410](#) - Statement of Organization Supplemental
- [Form 410 Supplemental Instructions](#) - For Multipurpose Organizations Including Nonprofits

Form 425 *Semi-Annual Statement of No Activity (Not for use by candidates/officeholders)*

The Form 425 is filed by recipient committees that have not received any contributions and have not made any expenditures during the six-month period covered by a semi-annual statement.

- [Form 425](#) - Semi-Annual Statement of No Activity (Not for use by candidates/officeholders)

Form 450 *Recipient Committee Campaign Statement-Short Form (Not for use by candidates/officeholders)*

The Form 450 is filed by recipient committees that meet certain specific criteria listed in the Form 450.

- [Form 450](#) - Recipient Committee Campaign Statement-Short Form (Not for use by candidates/officeholders)

Form 460 *Consolidated Campaign Disclosure Form - Updated 1/1/2016*

The Form 460 is filed by recipient committees to report expenditures and contributions. The Form 460 can be used to file a pre-election statement, semi-annual statement, quarterly statement, termination statement, special odd-year report, or an amendment to a previously filed statement.

- [Form 460](#) - Consolidated Campaign Disclosure Form
- [Supplemental Form 460 Instructions](#) - For Multipurpose Organizations Including Nonprofits

Form 461 *Independent Expenditure Committee and Major Donor Committee Campaign Statement - Updated 1/1/2016*

The Form 461 is filed by major donors, independent expenditure committees, and multipurpose organizations including nonprofits.

- [Form 461](#) - Independent Expenditure Committee and Major Donor Committee Campaign Statement
- [Supplemental Form 461 Instructions](#) - For Multipurpose Organizations Including Nonprofits

Form 462 *Verification of Independent Expenditures - Updated 1/1/2016*

The Form 462 is used by committees or individuals making independent expenditures. It identifies an individual responsible for ensuring that the independent expenditures were not coordinated with the listed candidate or measure committee (or the opponent), and ensures that all contributions and reimbursements will be reported as required by law.

- [Form 462](#) - Verification of Independent Expenditures

Form 465 *Supplemental Independent Expenditure Report*

The Form 465 is filed by officeholders, candidates, recipient committees, major donor committees, and independent expenditure committees that make independent expenditures totaling \$1,000 or more in a calendar year to support or oppose: a single candidate, a single measure, or the qualification of one single measure. File the Form 465 in the same period (s) the candidate or committee supported or opposed by the independent expenditure(s) is required to file.

- [Form 465](#) - Supplemental Independent Expenditure Report

Form 470 *Officeholder/Candidate Campaign Statement-Short Form and Form 470 Supplement - Updated 1/1/2016*

The Form 470 is filed by officeholders and candidates who do not have a controlled committee, do not receive contributions totaling \$2,000 or more during the calendar year, and do not spend \$2,000 or more during the calendar year.

- [Form 470](#) - Officeholder/Candidate Campaign Statement-Short Form and Form 470 Supplement

Form 495 *Supplemental Pre-Election Campaign Statement*

Form 495 is filed by recipient committees that make contributions totaling \$10,000 or more in connection with an election in which the committee is not required to file regular pre-election reports. The Form 495 is filed as an attachment to a campaign disclosure statement (Form 450 or 460).

- [Form 495](#) - Supplemental Pre-Election Campaign Statement

Form 496 *24-hour Independent Expenditure Report*

The Form 496 is filed by committees that make independent expenditures whose combined total is \$1,000 or more to support or oppose a single candidate for elective office, or a single ballot measure. File the Form 496 within 24-hours of making the expenditure during the 90 days immediately preceding the election.

- [Form 496](#) - 24-hour Independent Expenditure Report
- [Supplemental Form 496 Instructions](#) - For Multipurpose Organizations Including Nonprofits

Form 497 *24-hour Contribution Report*

The Form 497 is filed by state and local committees making or receiving contribution(s) whose combined total is \$1,000 or more in the 90 days before an election, committees reporting contributions of \$5,000 or more in connection with a state ballot measure, and state candidates as well as state ballot measure committees that receive \$5,000 or more at any time other than a 90-day election cycle.

- [Form 497](#) - 497 24-hour Contribution Report

Form 498 *Late Payment Report (Slate Mailer Organizations)*

The Form 498 is filed by a slate mailer organization upon receipt of a late payment.

- [Form 498](#) - Late Payment Report (Slate Mailer Organizations)

Form 501 *Candidate Intention Statement*

The Form 501 is filed each election by candidates for state or local office.

- [Form 501](#) - Candidate Intention Statement

Form 511 *Paid Spokesperson Report*

The Form 511 is filed by committees that make expenditures totaling \$5,000 or more to an individual for his or her appearance in a printed, televised, or radio advertisement, or in a telephone message, to support or oppose the qualification, passage, or defeat of a state or local ballot measure.

- [Form 511](#) - Paid Spokesperson Report

Form E - 530 *Communications Identifying State Candidates (Instructions)*

On-line Form E-530 reports must be filed by anyone spending or promising to pay \$50,000 or more for a communication disseminated within 45 days of an election, if the communication clearly identifies a candidate for state elective office but does not expressly advocate the election or defeat of that candidate.

- [Form E-530](#) - Communications Identifying State Candidates (Instructions)

CAMPAIGN DISCLOSURE REQUIREMENTS OFTEN OVERLOOKED

BEWARE – The Franchise Tax Board is authorized under Section [90001](#) of the California Government Code to audit Campaign Disclosure Statements. The audit can include tests of the accounting records and other such auditing procedures.

The purpose of campaign disclosure is to provide the public with the identity of contributors and the amounts they give, as well as the amount officeholders, candidates and committees spend. The laws passed to enforce that purpose can be challenging for the unwary, therefore some often overlooked requirements, some identified in audit reports, are provided here:

- ❖ Even unopposed candidates are subject to the campaign disclosure provisions of the Political Reform Act. (Gov. Code [§82007](#))
- ❖ Prior to soliciting or receiving any contribution (including a loan), all elected officeholders and all candidates must file a Form 501 (candidate intention).
- ❖ Contributions include **PERSONAL FUNDS** and are subject to the same disclosure requirements.
- ❖ A Statement of Organization (Form 410) must be filed within 10 days by any person who receives contributions totaling \$2,000 or more during a calendar year. Candidates for county offices (excludes judges, school boards and special district boards) must file a Form 410 prior to the acceptance of any campaign contribution totaling \$50 or more or the making of any expenditure intended to influence the outcome of any election.
- ❖ Officeholders and candidates who receive contributions or make expenditures must establish a campaign checking account in California and report it on a Form 410.
- ❖ Loans to a candidate are considered contributions unless the loan is from a financial institution. The Federal Election Campaign Act ([52 U.S.C. Subtitle III, §30118 & 30121](#)) prohibits contributions from national banks, national corporations, and foreign nationals in connection with any local, state, or federal election to political office.
- ❖ Filing fees and candidate statement fees may be paid in cash if the candidate is using personal funds and will not be reimbursed through the committee. (Gov. Code [§85200](#)) Otherwise, campaign disclosure laws require that expenditures of \$100 or more be made by written instrument containing the names of both the payee and payer. (Gov. Code [§84300](#))
- ❖ Never accept or spend \$100 or more in cash.
- ❖ For contributions of \$100 or more, including loans, and in-kind contributions, you must disclose the contributor's name, address, occupation and employer. Contributions of \$100 or more may not be made in the form of a money order or cashier's check. Contributions may continue to be made with a credit card. (Gov. Code [§84300](#))
- ❖ Maintain details on contributions and expenditures of \$25 or more, even if you are spending less than \$2,000. Refer to recordkeeping guidelines in Manual A.
- ❖ Make copies of all contributor checks.
- ❖ Itemize expenditures of \$500 or more made by an agent or campaign consultant.
- ❖ Include your name and campaign address in at least 6-point type on the outside of all mass mailings (more than 200 pieces). Your committee's name may be used if it includes your name. If your name is not part of the committee's name, you may use just your name, or both your name and the name of the committee.

- ❖ Candidates must disclose employer information for all contributors and keep all records of occupation and employer information.
- ❖ **NO PERSONAL USE OF CAMPAIGN FUNDS.** Use campaign funds only for political, legislative, or governmental purposes.
- ❖ The source for each loan must be disclosed.
- ❖ All expenditures of \$100 or more must be itemized on the campaign statements, and then summarized on the Campaign Disclosure Statement Summary Page.
- ❖ As long as a committee is in existence, a Semi-Annual Campaign Statement must be filed. If the candidate has filed a long form (460) previously in the calendar year, a 460 must be filed as the Semi-Annual Statement even if there is no activity.
- ❖ For officeholders with no active committee, a Form 470 must be filed annually at the first semi-annual filing period (normally July 31), for every year in which they are not being voted upon at an election.
- ❖ Payee addresses must be disclosed on the campaign statements for expenditures made.
- ❖ If the committee changes its treasurer, an amendment to the Form 410 Statement of Organization must be filed.

CAMPAIGN FINANCE PROHIBITIONS

State law provides for the following prohibitions regarding campaign funds:

- ❖ No contribution of one hundred dollars (\$100) or more shall be made or received in cash. If a cash contribution is made, it shall not be deemed received if it is refunded within 72 hours of receipt or in the case of a late contribution, within 48 hours of receipt.
No expenditure of one hundred dollars (\$100) or more shall be made in cash.
The value of all in-kind contributions of one hundred dollars (\$100) or more shall be reported in writing to the recipient upon the request in writing of the recipient. (Govt. Code §[84300](#))
- ❖ No contribution shall be made, directly or indirectly, by any person in a name other than the name by which such person is identified for legal purposes. (Govt. Code §[84301](#))
- ❖ No person shall make an anonymous contribution or contributions to a candidate, committee or any other person totaling one hundred dollars (\$100) or more in a calendar year. An anonymous contribution of one hundred dollars (\$100) or more shall not be kept by the intended recipient but instead shall be promptly paid to the Secretary of State for deposit in the General Fund of the state. (Govt. Code §[84304](#))
- ❖ No contribution shall be commingled with personal funds of the recipient or any other person. (Govt. Code §[84307](#))
- ❖ Contributions made by a husband and wife may not be aggregated. A contribution made by a child under 18 years of age is presumed to be a contribution from the parent or guardian of the child. (Gov. Code §[85308](#))
- ❖ No newsletter or other mass mailing shall be sent at public expense. (Govt. Code §[89001](#))
- ❖ Every person who contrives, prepares, sets up, proposes, or draws any lottery or raffle, is guilty of a misdemeanor. (Penal Code §[319](#), [320](#))

HOW TO GET HELP FROM THE FPPC

Assistance by Telephone

Call Toll-Free
1-866-**ASK-FPPC**
(1-866-275-3772)
or
1-916-322-5660

Enforcement Complaints

1-866-275-3772

Assistance by Mail

Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814

Assistance by e-Mail

advice@fppc.ca.gov

Assistance by Fax

1-916-322-0886

Assistance by Email (informal advice)

Email communications are public documents and may be provided to others under the California Public Records Act.

Email advice is best suited for straightforward questions such as: When does a local ballot measure committee file its Form 410?; After assuming my new position as mayor how many days do I have to file the Form 700?

Email advice is not the forum for complex conflict-of-interest questions, questions that include incomplete or complicated facts, or questions that require substantial legal analysis.

Email directions:

- Identify yourself, contact phone and position
- List the agency that is related to your question
- Write your question with as much specificity as possible
- If you have a question on a Form 700 disclosure include your disclosure category.
- For Gift and Travel Questions we need the following Information:
 - Identify source of gift or travel and whether the source is a governmental agency or a 501(c)(3) organization.
 - If the source of the gift or travel is reimbursed, provide details on who is making the reimbursement.
 - Date(s) gift received or date(s) of travel.
 - Describe gift (i.e. meal, sports or entertainment event tickets) or travel (i.e. airfare, other transportation, meals, lodging)
 - Include facts on whether the public official is making a speech or performing a ceremonial role.
 - Describe how the travel is reasonably related to a legislative or governmental purpose, or to an issue of state, national, or international public policy.

Please Note: Third party, hypothetical questions and enforcement related matters are not addressed

Send your Email Question Here: advice@fppc.ca.gov

Certain questions may take 2-3 days for a response.

Assistance by Telephone (informal advice)

Toll-Free: 1-866-ASK-FPPC (1-866-275-3772) or 1-916-322-5660

Telephone advice is available Monday through Thursday from 9:00 a.m. to 11:30 a.m. Call the numbers listed above and press 2 to speak to a political reform consultant in the Technical Assistance Division.

Assistance by Mail (formal advice)

Fair Political Practices Commission

1102 Q Street, Suite 3000
Sacramento, CA 95811

Informal Telephone and Email Advice

This advice is considered informal assistance and conservative responses are provided. In most instances, email advice will link you to the appropriate reference material posted on the FPPC website.

Both Telephone and Email Advice provide guidance based on facts provided through the inquiry. Advice does not provide immunity under Government Code Section [83114](#) and does not constitute legal advice or alter any legal right or liability. Political Reform Consultants will respond to your request for guidance but the response is not a rule, regulation or statement binding or a final decision of the FPPC. Advice is only applicable to the specific person submitting the question and to the specific question asked.

Notes:

Answers to questions on past conduct or hypothetical situations are not provided.

- Advice regarding a person's duty is only provided to that person or their authorized representative.
- The FPPC does not provide guidance on laws other than the Political Reform Act (e.g. the Elections Code, the Brown Act, Federal or local laws.).
- The FPPC does not confirm in writing telephone advice.

Formal Written Advice

Under Government Code Section [83114\(b\)](#) and Commission regulations, any individual or entity (or their authorized representative) may request formal written advice from the Commission staff concerning their duties under the Political Reform Act. The request must be in writing, provide specified information about the requestor, and contain sufficient information on which the Commission staff can do a complete legal analysis. If the request meets these criteria, the Commission must provide the formal written advice within 21 working days.

Formal written advice provides the requestor with immunity from prosecution by the Commission, and provides evidence of good faith conduct in any relevant civil or criminal proceeding brought by another person, so long as the facts presented by the requestor are accurate and the requestor acts within the confines of the formal advice provided. Formal written advice does not provide immunity to persons other than the requestor, although it may be used as guidance for questions based on similar facts.

The Commission may provide an informal written reply with general guidance in response to written requests for advice that do not meet the criteria for formal written advice. Since formal

and informal written advice is provided by Commission staff, neither constitutes a formal opinion by the Commission under Government Code Section [83114\(a\)](#) or a statement of Commission policy. More details about the written advice process can be found in Section [18329](#) of Title 2 of the California Code of Regulations.

Commission Opinions

Under Government Code Section [83114\(a\)](#) and Commission regulations, any individual or entity (or their authorized representative) may request a formal opinion from the Commission concerning their duties under the Political Reform Act. The Commission's Executive Director must accept or reject a request for a formal opinion within 14 days. A request will normally be rejected if the question can be answered under existing statutes or regulations or does not otherwise present a significant policy issue.

In addition, since the process requires formal action by the Commission, if the request is accepted, it normally takes several months after the question is submitted before a formal opinion may issue from the Commission. A formal opinion issued by the Commission provides the requestor with immunity from civil or criminal prosecution under the Political Reform Act so long as the facts presented by the requestor are accurate and the requestor acts within the confines of the opinion. More details about the formal opinion process can be found in Sections [18320 through 18326](#) of Title 2 of the California Code of Regulations.

Enforcement Complaints

To report a violation of the Act, contact the Enforcement Division:

- complaint@fppc.ca.gov or
1-866-ASK-FPPC (1-866-275-3772)

SECTION 6:
CAMPAIGNING
LAWS
AND
REGULATIONS

LAWS GOVERNING CAMPAIGN PRACTICES

Use of Public Resources

(Gov. Code §8315 (a))

(a) It is unlawful for any elected state or local officer, including any state or local appointee, employee, or consultant, to use or permit others to use public resources for a campaign activity, or personal or other purposes which are not authorized by law.

(b) For purposes of this section:

(1) "Personal purpose" means those activities the purpose of which is for personal enjoyment, private gain or advantage, or an outside endeavor not related to state business. "Personal purpose" does not include the incidental and minimal use of public resources, such as equipment or office space, for personal purposes, including an occasional telephone call.

(2) "Campaign activity" means an activity constituting a contribution as defined in Section 82015 or an expenditure as defined in Section 82025. "Campaign activity" does not include the incidental and minimal use of public resources, such as equipment or office space, for campaign purposes, including the referral of unsolicited political mail, telephone calls, and visitors to private political entities.

(3) "Public resources" means any property or asset owned by the state or any local agency, including, but not limited to, land, buildings, facilities, funds, equipment, supplies, telephones, computers, vehicles, travel, and state-compensated time.

(4) "Use" means a use of public resources which is substantial enough to result in a gain or advantage to the user or a loss to the state or any local agency for which a monetary value may be estimated.

(c) (1) Any person who intentionally or negligently violates this section is liable for a civil penalty not to exceed one thousand dollars (\$1,000) for each day on which a violation occurs, plus three times the value of the unlawful use of public resources. The penalty shall be assessed and recovered in a civil action brought in the name of the people of the State of California by the Attorney General or by any district attorney or any city attorney of a city having a population in excess of 750,000. If two or more persons are responsible for any violation, they shall be jointly and severally liable for the penalty.

(2) If the action is brought by the Attorney General, the moneys recovered shall be paid into the General Fund. If the action is brought by a district attorney, the moneys recovered shall be paid to the treasurer of the county in which the judgment was entered. If the action is brought by a city attorney, the moneys recovered shall be paid to the treasurer of that city.

(3) No civil action alleging a violation of this section may be commenced more than four years after the date the alleged violation occurred.

(d) Nothing in this section shall prohibit the use of public resources for providing information to the public about the possible effects of any bond issue or other ballot measure on state activities, operations, or policies, provided that (1) the informational activities are otherwise authorized by the constitution or laws of this state, and (2) the information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

(e) The incidental and minimal use of public resources by an elected state or local officer, including any state or local appointee, employee, or consultant, pursuant to this section shall not be subject to prosecution under Section 424 of the Penal Code.

Mass Mailing

Mass mailing; requirements (Gov. Code §84305)

Each candidate filing a Declaration of Candidacy is to be apprised of Government Code §84305, which is produced here for your information:

- (a) (1) Except as provided in subdivision (b), a candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type that is in a color or print that contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the candidate's, candidate controlled committee established for an elective office for the controlling candidate's, or political party committee's address is a matter of public record with the Secretary of State.
- (2) Except as provided in subdivision (b), a committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass mailing that is not required to include a disclosure pursuant to Section [84502](#) unless the name, street address, and city of the committee is shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type that is in a color or print that contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the committee's address is a matter of public record with the Secretary of State.
- (b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.
- (c) (1) A candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not send a mass electronic mailing unless the name of the candidate or committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.
- (2) A committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass electronic mailing that is not required to include a disclosure pursuant to Section [84502](#) or [84504.3](#) unless the name of the committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.
- (d) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).
- (e) For purposes of this section, the following terms have the following meaning:
 - (1) "Mass electronic mailing" means sending more than two hundred substantially similar pieces of electronic mail within a calendar month.
 - (2) "Sender" means the candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable pursuant to Sections [84200](#) to [84217](#), inclusive.
 - (3) To "pay for" a share of the cost of a mass mailing means to make, to promise to make, or to incur an obligation to make, any payment: (A) to any person for the design, printing, postage, materials, or other costs of the mailing, including salaries, fees, or commissions, or (B) as a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.
- (f) This section does not apply to a mass mailing or mass electronic mailing that is paid for by an independent expenditure.

Mass mailing definition (Gov. Code §[82041.5](#))

“Mass Mailing” means over two hundred substantially similar pieces of mail, but does not include a form letter or other mail that is sent in response to an unsolicited request, letter or other inquiry.

Mass mailing by incumbents (Gov. Code §[89001](#))

No newsletter or other mass mailing shall be sent at public expense.

Slate Mailers

Slate mailer definition (Gov. Code §[82048.3](#))

“Slate Mailer” means a mass mailing that supports or opposes a total of four or more candidates or ballot measures.

Slate mailer organization (Gov. Code §[82048.4](#))

- a) “Slate mailer organization” means, except as provided in subdivision (b), any person who, directly or indirectly, does all of the following:
 - 1) Is involved in the production of one or more slate mailers and exercises control over the selection of the candidates and measures to be supported or opposed in slate mailers.
 - 2) Receives or is promised payments totaling \$500 or more in a calendar year for the production of one or more slate mailers.
- b) Notwithstanding subdivision (a), a slate mailer organization shall not include any of the following:
 - 1) A candidate or officeholder or a candidate's or officeholder's controlled committee.
 - 2) An official committee of any political party.
 - 3) A legislative caucus committee.
 - 4) A committee primarily formed to support or oppose a candidate, officeholder, or ballot measure.
- c) The production and distribution of slate mailers by a slate mailer organization shall not be considered making contributions or expenditures for purposes of subdivision (b) or (c) of [§82013](#). If a slate mailer organization makes contributions or expenditures other than by producing or distributing slate mailers, and it reports those contributions and expenditures pursuant to [§84218](#) and [84219](#), no additional campaign reports shall be required of the slate mailer organization pursuant to [§84200](#) or [84200.5](#).

Slate mailer requirements (Gov. Code §[84305.5](#))

- a) No slate mailer organization or committee primarily formed to support or oppose one or more ballot measures shall send a slate mailer unless:
 - 1) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures are shown on the outside of each piece of slate mail and on at least one of the inserts included with each piece of slate mail in no less than 8-point Roman type which shall be in color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the street address of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures is a matter of public record with the Secretary of State's Political Reform Division.

- 2) At the top or bottom of the front side or surface of at least one insert or at the top or bottom of one side or surface of a postcard or other self-mailer, there is a notice in at least 8-point Roman, boldface type, which shall be in a color or print which contrasts with the background so as to be easily legible, and in a printed or drawn box and set apart from any other printed matter. The notice shall consist of the following statement:

NOTICE TO VOTERS

THIS DOCUMENT WAS PREPARED BY (name of slate mailer organization or committee primarily formed to support or oppose one or more ballot measures), **NOT AN OFFICIAL POLITICAL PARTY ORGANIZATION**. Appearance in this mailer does not necessarily imply endorsement of others appearing in this mailer, nor does it imply endorsement of, or opposition to, any issues set forth with this mailer. Appearance is paid for and authorized by each candidate and ballot measure which is designated by an *.

- 3) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures as required by paragraph (1) and the notice required by paragraph (2) may appear on the same side or surface of an insert.
- 4) Each candidate and each ballot measure that has paid to appear in the slate mailer is designated by *. Any candidate or ballot measure that has not paid to appear in the slate mail is not designated by *.
- The * required by this subdivision shall be of the same type size, type style, color or contrast, and legibility as is used for the name of the candidate or the ballot measure name or number and position advocated to which the * designation applies except that in no case shall the * be required to be larger than 10-point boldface type. The designation shall immediately follow the name of the candidate, or the name or number and position advocated on the ballot measure where the designation appears in the slate of candidates and measures. If there is no slate listing, the designation shall appear at least once in at least 8-point boldface type, immediately following the name of the candidate, or the name or number and position advocated on the ballot measure.
- 5) The name of any candidate appearing in the slate mailer who is a member of a political party differing from the political party which the mailer appears by representation or indicia to represent is accompanied, immediately below the name, by the party designation of the candidate, in no less than 9-point Roman type which shall be a color or print that contrasts with the background so as to be easily legible. The designation shall not be required in the case of candidates for nonpartisan office.
- b) For purposes of the designations required by paragraph (4) of subdivision (a), the payment of any sum made reportable by subdivision (c) of §84219 by or at the behest of a candidate or committee, whose name or position appears in the mailer, to the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures, shall constitute a payment to appear, requiring the * designation. The payment shall also be deemed to constitute authorization to appear in the mailer.

(See the Information Manual issued by the Fair Political Practices Commission for campaign disclosure reporting requirements in connection with slate mailers.)

Nominations

Fictitious name to nomination petition (Elections Code §18200)

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

Defacing or destroying a nomination paper (Elections Code §18201)

Any person who falsely makes or fraudulently defaces or destroys all or any part of a nomination paper, is punishable by a fine not exceeding \$1,000 or by imprisonment in the state prison for 16 months or two or three years or by both the fine and imprisonment.

Deliberate failure to file nomination paper (Elections Code §[18202](#))

Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and the proper place any nomination paper or declaration of candidacy in his or her possession that is entitled to be filed under the provisions of this code.

False declaration of candidacy (Elections Code §[18203](#))

Any person who files or submits for filing a nomination paper or declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine not exceeding

\$1,000 or by imprisonment in the state prison for 16 months or two or three years or by both such fine and imprisonment.

Suppression of nomination paper (Elections Code §[18204](#))

Any person who willfully suppresses all or any part of a nomination paper or declaration of candidacy either before or after filing is punishable by a fine not exceeding \$1,000 or by imprisonment in the state prison for 16 months or two or three years or by both the fine and imprisonment.

Paying candidates to withdraw (Elections Code §[18205](#))

A person shall not directly or through any other person advance, pay, solicit, or receive or cause to be advanced, paid, solicited, or received any money or other valuable consideration to or for the use of any person in order to induce a person not to become or to withdraw as a candidate for public office. Violation of this section shall be punishable by imprisonment in the state prison for 16 months or two or three years.

Code of Fair Campaign Practices

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

The County Clerk is required to provide each individual who files nomination papers or other papers evidencing intentions to become a candidate for public office with a copy of the provisions of the Chapter and a form on which to subscribe to the code.

Subscription to the code is voluntary. Completed forms are to be filed with the County Clerk and shall be retained for public inspection until 30 days after the election. (Elections Code §[20400](#) - [20444](#))

Misrepresentation by Candidates

Misleading of voters; incumbency; public officer (Elections Code §18350)

Every person is guilty of a misdemeanor who, with intent to mislead the voters in connection with his or her campaign for nomination or election to a public office or in connection with the campaign or another person for nomination or election to a public office, shall do either of the following acts:

- a) Assume, pretend, or imply, by his or her statements or conduct, that he or she is the incumbent of a public office when that is not the case.
- b) Assume, pretend, or imply, by his or her statements or conduct, that he or she has been acting in the capacity of a public officer when that is not the case.

Any violation of this section may be enjoined in a civil action brought by any candidate for the public office involved.

False statements in candidate statement; fine (Elections Code §18351)

Any candidate in an election or incumbent in a recall election who knowingly makes a false statement of a material fact in a candidate's statement prepared pursuant to §11327 or 13307, with the intent to mislead the voters in connection with his or her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed \$1,000.

Representation requirements (Elections Code §20007)

No candidate or committee in his or her behalf shall represent in connection with an election campaign either orally or in campaign material, that the candidate has the support of a committee or organization that includes as part of its name the name or any variation upon the name of a qualified political party with which the candidate is not affiliated, together with the words "county committee," "central committee," "county," or any other term that might tend to mislead the voters into believing that the candidate has the support of that party's county central committee or state central committee, when that is not the case.

This section shall not be construed to prevent a candidate or committee from representing that the candidate has the support of a committee or group of voters affiliated with another political party, which committee or group is identified by the name of that party, where the name of the committee or group also includes the name of the candidate.

Any member of a central committee or state central committee may commence an action in the superior court to enjoin misrepresentation by a candidate or committee in his or her behalf, in the manner prohibited by this section, to the effect that the candidate has the support of the state or county central committee involved.

Deceptive Online Activities

"Political cyberfraud" defined (Elections Code §18320)

- (a) This act shall be known and may be cited as the "California Political Cyberfraud Abatement Act."
- (b) It is unlawful for a person, with intent to mislead, deceive, or defraud, to commit an act of political cyberfraud.
- (c) As used in this section:
 - (1) "Political cyberfraud" means a knowing and willful act concerning a political Web site that is committed with the intent to deny a person access to a political Web site, deny a person the opportunity to register a domain name for a political Web site, or cause a person reasonably to believe that a political Web site has been posted by a person other than the person who posted the Website, and would cause a reasonable person, after reading the Website, to believe the site actually represents the views of the proponent or opponent of a ballot measure. Political cyberfraud includes, but is not limited to, any of the following acts:
 - (A) Intentionally diverting or redirecting access to a political Web site to another person's Web site by the use of a similar domain name, meta-tags, or other electronic measures.

(B) Intentionally preventing or denying exit from a political Web site by the use of frames, hyperlinks, mousetrapping, popup screens, or other electronic measures.

(C) Registering a domain name that is similar to another domain name for a political Web site.

(D) Intentionally preventing the use of a domain name for a political Web site by registering and holding the domain name or by reselling it to another with the intent of preventing its use, or both.

(2) "Domain name" means any alphanumeric designation that is registered with or assigned by any domain name registrar, domain name registry, or other domain registration authority as part of an electronic address on the Internet.

(3) "Political Web site" means a Web site that urges or appears to urge the support or opposition of a ballot measure.

Political Advertising

Political advertisement requirements (Elections Code §20008)

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

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

False or forged campaign materials (Penal Code §115.2)

No person shall publish or cause to be published, with actual knowledge, and intent to deceive, any campaign advertisement containing false or fraudulent depictions, or false or fraudulent representations, of official public documents or purported official public documents.

For purposes of this section, "campaign advertisement" means any communication directed to voters by means of a mass mailing as defined in §82041.5 of the Government Code, a paid newspaper advertisement, an outdoor advertisement, or any other printed matter, if the expenditures for that communication are required to be reported by Chapter 4 (commencing with §84100) of Title 9 of the Government Code.

Any violation of this section is a misdemeanor punishable by imprisonment in the county jail, or by a fine not to exceed \$50,000, or both.

Simulated Ballots

Printing of Simulated Sample Ballots (Elections Code §18301)

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

Simulated ballot requirements (Elections Code §20009)

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

NOTICE TO VOTERS

(Required by Law)

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

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

- b) No simulated ballot or simulated sample ballot referred to in subdivision (a) shall bear any official seal or the insignia of any public entity, nor shall that seal or insignia appear upon the envelope in which it is mailed or otherwise delivered.
- c) The superior court, in any case brought before it by any registered voter, may issue a temporary or permanent restraining order or injunction against the publication, printing, circulation, posting, or distribution of any matter in violation of this section, and all cases of this nature shall be in a preferred position for purposes of trial and appeal, so as to assure the speedy disposition thereof.

Campaign Literature

Use of Seal in Campaign Literature (Elections Code §[18304](#))

- (a) Any person who uses or allows to be used any reproduction or facsimile of the seal of the county or the seal of a local government agency in any campaign literature or mass mailing, as defined in Section [82041.5](#) of the Government Code, with intent to deceive the voters, is guilty of a misdemeanor.
- (b) For purposes of this section, the use of a reproduction or facsimile of a seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by a public official is evidence of intent to deceive.
- (c) For purposes of this section, the term "local government agency" means a school district, special or other district, or any other board, commission, or agency of local jurisdiction.

Corruption of the Voting Process

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

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

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

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

Interference with Election Officers (Elections Code §[18502](#))

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

Corruption of Voters

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

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

Promise of Employment (Elections Code §[18520](#))

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

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

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

Consideration for Voting (Elections Code §[18521](#))

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

- a) Voted, agreed to vote, refrained from voting, or agreed to refrain from voting for any particular person or measure.
- b) Remained away from the polls.
- c) Refrained or agreed to refrain from voting.
- d) Induced any other person to:
 - 1) Remain away from the polls.
 - 2) Refrain from voting.
 - 3) Vote or refrain from voting for any particular person or measure.

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

Consideration for Voting (Elections Code §18522)

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

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

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

Bribery at Election (Elections Code §18523)

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

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

Payment for Securing Vote (Elections Code §18524)

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

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

Intimidation of Voters

Compelling Another in Voting (Elections Code §18540)

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

Solicitation Dissuading Persons From Voting (Elections Code §[18541](#))

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

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

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

Challenge Without Probable Cause (Elections Code §[18543](#))

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

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

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

- 4) A private guard or security personnel hired or arranged for by the owner or manager of the facility or property in which the polling place is located if the guard or security personnel is not hired or arranged solely for the day on which an election is held.

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

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

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

As used in this article:

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

Literature Containing Polling Place Location

Campaign Literature Containing Polling Place (Elections Code §18302)

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

LAWS ABOUT THE POLLING PLACE

Electioneering on Election Day

100 Feet Rule

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

1. Circulate an initiative, referendum, recall or nomination petition or any other petition.
2. Solicit a vote or speak to a voter on the subject of marking his or her ballot.
3. Place a sign relating to voters' qualifications or speak to a voter on the subject of his/her qualifications except as provided in [§14240](#).
4. Do any electioneering. This includes wearing buttons, T-shirts, stickers, etc. that promote a candidate or issue on the ballot.

As used in this section, "100 feet from a polling place or an elections official's office" shall mean 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.

Poll Watchers

Poll watchers are allowed at the polling place as long as they obey the law and election procedures. Persons observing the polls may:

- ❖ Inspect the Roster of Voters. Any such inspection, however, must be done without impeding, interfering or interrupting the normal process of voting and counting.
- ❖ Inspect the Public's Alpha Index updated regularly by the precinct workers. The index may not be removed from the polling place.
- ❖ Observe all activities at the polling place, including activities after the polls close, providing they do not interfere with the normal processing of voters.

[§14221](#), [14252](#), [14253](#), [14294](#) & [18370](#)

Exit Polling

The Secretary of State and Attorney General have reviewed the Electioneering provisions and have determined that these provisions do not apply to the Press and Media conducting "Exit Polls." However, no one may interfere with the conduct of the election. Therefore, news media have been advised to remain at least 25 feet from the entrance to the polls. The media may take pictures or run a television camera inside the polling place providing they respect the voters' privacy and do not interfere with voting. They may not speak to voters regarding how they are voting within 25 feet of the entrance to the polling place.

[§18541](#)

POLITICAL SIGNS

Outdoor Political Advertising - State Laws

Section [5405.3](#) of the State Outdoor Advertising Act (Business & Professions Code) authorizes the placing of "temporary political signs" separate and apart from the normal outdoor advertising controls. No political sign may be placed within the right-of-way of any highway or within 660 feet of the edge of and visible from the right-of-way of a landscaped freeway.

Temporary political signs are those that meet the following criteria:

- ❖ Encourages a particular vote in a scheduled election;
- ❖ Is placed not sooner than 60 days prior to the scheduled election and is removed within 10 days after the election; (**note**, with regards to when signs may be placed, Section 5405.3 of the State Outdoor Advertising Act is superseded by County Ordinance [§25.29.068](#))
- ❖ Is no larger than 32 square feet; (**note**, with regards to the allowable display size of signs, Section 5405.3 of the State Outdoor Advertising Act is superseded by County Ordinance [§25.29.068](#))
- ❖ Has had a "Statement of Responsibility" filed with the State Department of Transportation, Division of Traffic Operations, Outdoor Advertising Program, P.O. Box 94287, MS-36, Sacramento, 94274-0001, certifying a person who will be responsible for removing the signs. Forms are provided by the San Benito County Elections Department during the nomination filing. Call (916) 654-5327 for more information.

The law directs the Department of Transportation to remove signs that do not comply with the regulations before an election and to bill the responsible party for removal costs after the election.

Penal Code Sections [556](#), [556.1](#) and [556.3](#) provide that it is a misdemeanor for any person to place a sign to advertise on public or private property (without consent); and that it shall be considered a public nuisance.

The following Caltrans form is available on-line at:

<http://www.dot.ca.gov/oda/download/Political2.pdf>

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.

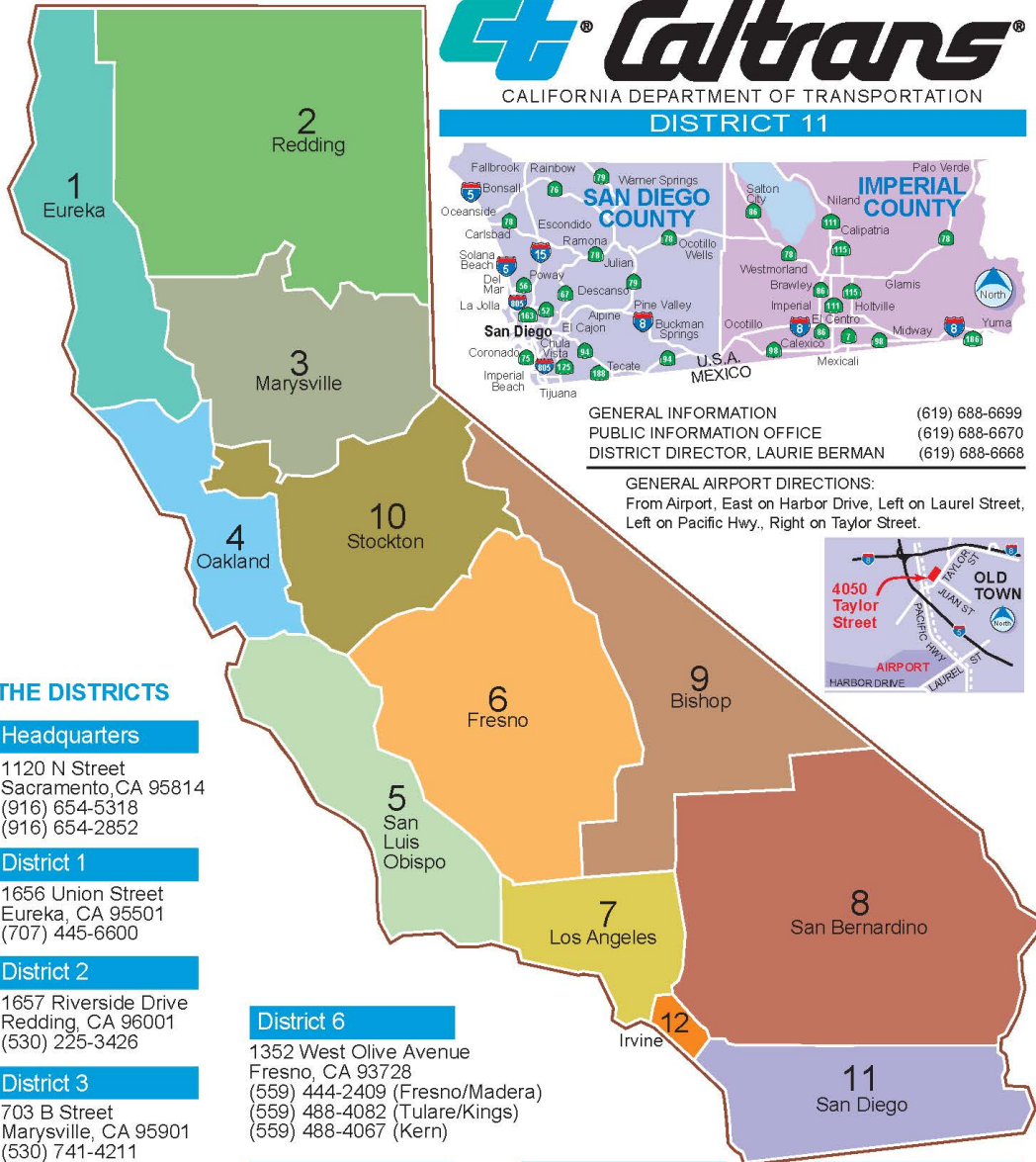
SIGNATURE OF RESPONSIBLE PARTY

DATE

Mail Statement of Responsibility to:

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

DISTRICT 11



GENERAL INFORMATION (619) 688-6699
 PUBLIC INFORMATION OFFICE (619) 688-6670
 DISTRICT DIRECTOR, LAURIE BERMAN (619) 688-6668

GENERAL AIRPORT DIRECTIONS:
 From Airport, East on Harbor Drive, Left on Laurel Street,
 Left on Pacific Hwy., Right on Taylor Street.



THE DISTRICTS

Headquarters

1120 N Street
 Sacramento, CA 95814
 (916) 654-5318
 (916) 654-2852

District 1

1656 Union Street
 Eureka, CA 95501
 (707) 445-6600

District 2

1657 Riverside Drive
 Redding, CA 96001
 (530) 225-3426

District 3

703 B Street
 Marysville, CA 95901
 (530) 741-4211

District 4

111 Grand Avenue
 Oakland, CA 94612
 (510) 286-4444

District 5

50 Higuera Street
 San Luis Obispo, CA 93401
 (805) 549-3111

District 6

1352 West Olive Avenue
 Fresno, CA 93728
 (559) 444-2409 (Fresno/Madera)
 (559) 488-4082 (Tulare/Kings)
 (559) 488-4067 (Kern)

District 7

100 South Main Street
 Los Angeles, CA 90012
 Public Affairs(213) 897-3656

District 8

464 W. 4th St.
 San Bernardino, CA 92401
 (909) 383-4561

District 9

500 South Main Street
 Bishop, CA 93514
 (760) 872-0601

District 10

1976 East MLK Way
 Stockton, CA 95205
 (209) 948-7543

District 11

4050 Taylor Street
 San Diego, CA 92110
 (619) 688-6699

District 12

3347 Michelson Drive
 Suite100
 Irvine, CA 92612
 (949) 724-2000

Fall 2013

This map is available on-line at: <http://www.dot.ca.gov/dist11/maps/districtsmap.pdf>

Utilize this map to acquire the correct mailing address. **San Benito County falls within District 5.**

Outdoor Political Advertising - County Code

San Benito County Code [§ 25.29.068](#) supersedes Section [5405.3](#) of the State Outdoor Advertising Act, in both period of placement and size. The code is as follows:

During any election period, the allowable display area is based on its zoning. An election period begins 60 calendar days before a primary, general or special election, and ends ten days after such election. All signs must be removed by the eleventh day after a primary, general or special election.(Ord. 905, § 1 (part), 2012)

Per this ordinance, political signs may not be placed more than 60 days before election day and must be removed by the 11th day following the election. Please refer to the County Code of Ordinances regarding the allowable sign sizes which are dependent upon the type of area where the sign is placed.

SECTION 7:
SERVICES
AND
ADDITIONAL
INFORMATION FOR
CANDIDATES

REGISTRATION DATA

Confidential Voter File

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

Permissible Usage

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

Permissible usage includes, but is not limited to:

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

Impermissible Usage

Prohibited usage includes ([19004](#)):

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

California Elections Code §[18109](#) states:

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

ELECTION DATA FOR SALE FROM SAN BENITO COUNTY

Walking Lists

- These lists are available by consolidated voting precinct, in alphabetical order by street.

Printed Voter Indexes by Street or Alpha

- Indexes can be sorted by street or alphabetically by voter's name

Voter Lists on CD / Mailing Labels of Voters or Households

- Orders will be completed within 2 working days
- Vote-by-mail voter information (if previously requested) to be received on a daily basis.
- Payment must be made in advance of any purchase. Please check with the elections department for pricing.

List of Polling Places / List of Candidates on the Ballot

- A list of the polling places in an election and a list of candidates' names and addresses are available

Maps

- Precinct Maps will be available upon completion of the consolidation process. Please contact our office for an update of when they will be available.
- Current District or Trustee Area Maps are always available

Daily Vote-by-mail Voter Printout

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

Photocopying

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

VOTER REGISTRATION AND VOTE-BY-MAIL DRIVES

Voter Registration Drives

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

For any quantity of 50 or more, the individual requesting the cards must fill out an application with Elections Department or Secretary of State. For quantities of 2,000 or more, the distribution form is transmitted to the Secretary of State's Office.

[§2158](#), [2138](#), [2139](#) & [18103](#)

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

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

Vote-by-Mail Ballot Drives

All registered voters may apply and Vote by mail.

Any person, including candidates and members of campaign organizations, can distribute applications for Vote by Mail ballots as long as the application meets the requirements of California Elections Code Section [3007](#) as to its contents. The name of any organization, which authorizes the distribution of Vote by Mail applications, shall be included on the application.

Upon request a Vote by Mail application form will be provided. The application form contains all information required by law.

Any individual, organization or group which distributes applications for Vote by Mail ballots and receives completed application forms back from voters, shall deliver the forms to the appropriate elections official within 72 hours of receiving the completed forms. Elections Code Section [18576](#) makes it a misdemeanor to delay the proper return of a Vote by Mail application.

Important Vote-by-Mail Dates*	Statewide Direct Primary - June 5, 2018
April 30	First day for campaigns to purchase election specific Vote by Mail information.
May 7	First day Vote by Mail ballots can be issued.
WEEKDAY VOTING May 7 - June 4	<p>Dates and times for voting at the Department of Elections 440 5th Street, 2nd Floor , Hollister</p>
ONLY WEEKEND VOTING June 2 - June 3 Sat. & Sun 9 a.m. – 3 p.m.	<ul style="list-style-type: none"> • Old Courthouse Bldg. / New Hall of Records - Corner of Monterey St & 5th Street (Directly above the Assessor's Office)
ELECTION DAY VOTING* June 5 7 a.m. – 8 p.m.	<p>*Polling Place Voting is only available on Election Day. Refer voters to the back cover of their Sample Ballot/Voter Information Pamphlet for their specific polling place or voters can visit www.sbcvote.us to lookup their current polling place location.</p>
May 29	<p>Deadline for Department of Elections Office to Receive Vote-by-Mail Applications by Mail</p> <p>If the Vote by Mail ballot is being mailed to the voter, the application must be received by <u>5:00 p.m.</u> at the Department of Elections.</p>
June 5 - Election Day	<p>All voted ballots must be received at the Department of Elections, or at any polling place in Santa Benito County, no later than 8:00 p.m. unless they are postmarked on Election Day and received by the Friday following Election Day.</p>

*All dates are for 2018.

ELECTION NIGHT RESULTS

WHERE:

Ballots are counted at the Courthouse:

**440 5th Street, Second Floor (Main Building Entrance from Monterey Street)
Hollister, California**

Vote-by-Mail Results:

The results of all Vote-by-Mail ballots received by our office and counted prior to election day, will be released immediately after the close of the polls at 8 p.m.

Election Results:

Telephones will be staffed until all the ballots are counted election night for callers to phone in and obtain results. Updates will be posted on our website at www.sbcvote.us/registrar-of-voters/election-results/ during precinct ballot counting throughout the evening.

CALL 831-636-4016 or toll free 877-777-4017

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

Semi-Official Results:

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

Official Canvass/Final Results:

The official canvass of ballots will begin no later than Thursday, June 7, 2018. It typically takes three to four weeks to complete the canvass. Please call to verify when the final count will occur.

IMPORTANT TELEPHONE NUMBERS

San Benito County

DEPARTMENT OF ELECTIONS

440 5th Street, 2nd Floor
Hollister, CA 95023
831-636-4016 / FAX: 831-636-2939
sbcvote@cosb.us

Joe Paul Gonzalez
County Clerk-Auditor-Recorder
(Registrar of Voters)
jpgonzalez@cosb.us

Angela Curro
Asst. County Clerk-Recorder
(Asst. Reg. of Voters)
acurro@cosb.us

Sheyla Gonzalez-Funes
Bilingual Sr. Deputy Clerk-Recorder-Elections
fdiaz@cosb.us

Mike Parsons
C-A-R-E Information System Deputy
mparsons@cosb.us

Neighboring Counties

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

MONTEREY

Claudio Valenzuela, Registrar of Voters
1370 South Main Street, Suite B
Salinas, CA 93901
(831) 796-1499
(831) 755-5485 Fax
Hours: M-F 8 – 5 (appointments suggested)
www.montereycountyelections.us

SANTA CRUZ

Gail Pellerin, County Clerk
(Registrar of Voters)
701 Ocean Street, Room 210
Santa Cruz, CA 95060-4076
(831) 454-2060
Hours: M-F 8 - 5
www.votescount.com

MERCED

Barbara J. Levey, Registrar of Voters
2222 M Street, Room 14
Merced, CA 95340
Phone: (209) 385-7541
Fax: (209) 385-7387
Hours: M-F 8 - 5
www.co.merced.ca.us/elections

SANTA CLARA

Shannon Bushey, Registrar of Voters
1555 Berger Drive, Bldg. 2
San Jose, CA 95112
(408) 299-VOTE (8639)
(408) 998-7314 Fax
Hours: M – F 8 - 5
www.sccvote.org

FRESNO

Brandi L. Orth
County Clerk-Registrar of Voters
2221 Kern Street
Fresno, CA 93721
(559) 600-VOTE or (8683)
(559) 488-3279 Fax
Hours: M-F 8:30 - 5:00
www.co.fresno.ca.us

SAN LUIS OBISPO

Tommy Gong, County Clerk-Recorder
(Registrar of Voters)
1144 Monterey Street, Suite A
San Luis Obispo, CA 93408-3237
(805) 781-5228
(805) 781-1111 Fax
Hours: M-F 8 - 5
www.slocounty.ca.gov/clerk/elections.htm

State and Federal Offices

Fair Political Practices Commission

1102 Q Street, Suite 3000
Sacramento, CA 95811
916-322-5660 / FAX: 916-322-0886
Toll Free: 1-866-275-3772 (1-866-ASK-FPPC)
Enforcement Violations: 1-866-275-3772
Website: www.fppc.ca.gov

Secretary of State Alex Padilla

1500 11th Street, 5th Floor
Sacramento, CA 95814
Website: www.sos.ca.gov

Political Reform Division

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

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

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

Elections Division

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

TDD: 1-800-833-8683

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

E-Mail: Elections@sos.ca.gov

Responsible for:

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

Campaign Filing Offices For Statewide Offices Or Measures

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

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

State committees are no longer required to file their forms with San Francisco or Los Angeles.

Federal Election Commission

999 E Street, NW
Washington, DC 20463
800-424-9530
For the hearing impaired, TTY 202-219-3336
Website: www.fec.gov

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

State Franchise Tax Board

800-852-5711
Website: www.ftb.ca.gov

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

Internal Revenue Service

800-829-1040
Website: www.irs.gov

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

State Attorney General

P.O. Box 944255
Sacramento, CA 94244-2550
800-952-5225
Website: www.oag.ca.gov

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

WHO SHOULD YOU CALL?

In response to the many inquiries we receive regarding possible election violations or fraud, we have the following list of resources regarding whom to contact for the various types of violations. The San Benito County Clerk/Elections Department is **NOT** an enforcement agency and is therefore unable to investigate any violations. When our office receives reports of violations, we refer them to the agencies listed below:

- False or misleading campaign materials (No agency enforcement. These issues are dealt with in court)
- Violations of the Political Reform Act (Title 9 of the California Government Code at Sections 81000 through 91015), i.e. mass mailing requirements; slate mailers; campaign disclosure; proper use of campaign funds; disclosure of economic interests: contact the Fair Political Practices Commission at www.fppc.ca.gov, 800-561-1861
- Election fraud: contact your local district attorney, 831-636-4120, or the California Secretary of State at www.sos.ca.gov, 916-657-2166
- Unlawful use of public funds, violations of the Elections Code, the Penal Code, or any laws other than the Political Reform Act: contact your local district attorney, 831-636-4120, or the California State Attorney General at www.oag.ca.us, 800-952-5225
- Federal campaigns, Congress, U.S. Senate, President of the United States, etc.: contact the Federal Election Commission at www.fec.gov, 800-424-9530
- Open meeting laws (Brown Act): contact your local district attorney, 831-636-4120, or the California State Attorney General at www.oag.ca.us, 800-952-5225

Please note the Secretary of State's Office is converting to a new phone system so some phone numbers may have changed.

FREQUENTLY ASKED QUESTIONS

Can anyone circulate a nomination petition?

Any person, 18 years old or older may circulate a petition. Any number of qualified people may circulate petitions for a candidate. A candidate may also circulate his or her own petition. A candidate is the only person whom may circulate petitions in a county besides the one they reside in.

What happens if some of the signatures I obtain on my nomination petition are not registered voters or do not live within the jurisdiction I seek to represent?

File your nomination petition early to avoid the consequences of a problem of this type. **The Elections Department must certify that the signatures on the nomination petition are of registered voters residing within the jurisdiction.** Any signatures submitted of voters who do NOT reside within the jurisdiction will be marked invalid and will not count towards your signature requirements. If you wait until the last day to file and your sponsors' signatures, for any reason, are insufficient, you will not qualify to be a candidate. If you file early, there will be time to check the signatures and notify you of any insufficiencies. You may then have an opportunity to submit supplemental signatures.

When and where can I pick up and file my nomination documents?

The candidate filing period is February 12, 2018* - March 9, 2018. Nomination documents may be picked up at the San Benito County Department of Elections. Nomination documents **may only be filed at** the San Benito County Department of Elections.

When is the candidate nomination extension period and can an incumbent file nomination documents during an extension period?

NO, the candidate nomination extension period is March 12, 2018* - March 14, 2018.

An incumbent **cannot** file during an extension period as it is only for any candidate other than the incumbent to pick up or file their nomination.

May I change or correct the wording or spelling on my candidate statement after submission?

No, you may not. Statements cannot be changed for any reason after they have been filed.

If I submit a voluntary candidate statement and I change my mind, may I withdraw the statement and receive a refund?

Yes, with certain conditions. The candidate 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. If you withdraw your statement within this time frame, you will receive a refund. After this time frame, your statement cannot be withdrawn, nor a refund given. If you withdraw your candidate statement, you will not be allowed to file another one.

Can I choose what languages my candidate statement will be printed in?

No, our office is federally mandated to print our Sample Ballots/Voter Information Pamphlets in English and Spanish.

May my spouse, relative, friend or campaign manager pick up and/or file nomination documents for me or can I mail them to you?

Yes, all forms may be picked up or filed by a candidate or a representative of the candidate. However, if someone other than the candidate is **picking up** nomination papers, they must have specific written authorization to do so. However, candidates are urged to file in person. The reasons are twofold:

- A. The oath of office on the Declaration of Candidacy must be administered by a member of the Department of Election's Deputy, an authorized public official, or a notary public. It is much easier for a candidate to file the nomination papers in person and have the oath administered at the time he or she files; and
- B. The signature of the candidate, as well as other data, is required on many documents involved in the nomination process. If through an oversight the nomination papers are incomplete, the problem can easily be rectified when a candidate files in person.

If the candidate wishes to mail the nomination papers, they must be sent by certified mail and arrive in our office by the close of the nomination period, regardless of the postmark.

Am I required to file financial documents related to my campaign?

Yes, every candidate must file some type of financial documents at specified deadlines. Refer to the ["Campaign Finance Disclosure Information"](#) section of this guide for more information.

I am unable to complete and file any of my FPPC campaign disclosure statements by the filing deadline. May I obtain an extension and will I be fined?

No, there is no provision in the Political Reform Act that permits any filing officer to extend a filing deadline. Statements that are filed late are subject to a fine of \$10.00 per day until the statement is filed. You will be fined for filing your statements late.

Can I place campaign signs anywhere I want?

No, there are city, county and state regulations concerning placement of campaign signs. Please refer to the ["Outdoor Political Advertising Guidelines"](#) section of this guide.

Can I charge with a credit card to pay my filing fee, purchase voter material, or to pay my candidate statement fee?

No. Cash, checks, or money orders are acceptable forms of payment.

How soon will a list of qualified candidates be available after the close of nomination?

The nomination period ends at 5:00 p.m. on March 9, 2018, but if an incumbent does not file, the nomination period is extended until March 14, 2018. A list of local candidates will be prepared in the following days, and should be available for distribution by noon on March 15, 2018. The certified list of State candidates is not available to us until March 27, 2018. Therefore, our State candidate list should be available for distribution on the first week of April 2018. You may come into the office and view the candidate list at no charge or purchase a copy of it.

Can I come into the Department of Elections on election night and view the tabulation of the votes?

Yes, you can come into our office on election night and view the entire process of the vote tabulation. All election night visitors must be escorted in our office so please call us ahead of time to inform us that you will be coming to our office. Calling ahead helps us plan our staffing needs.

Can I obtain election night results on the Internet?

Yes, you may obtain the most up-to-date election night results on our website at www.sbcvote.us/registrar-of-voters/election-results/

Why is there so much paperwork involved in being a candidate?

Election law specifies documents required, as well as format, filing dates, etc. The filing requirements are not discretionary.