



COUNTY of SAN LUIS OBISPO

CAMPAIGN INFORMATION MANUAL 2014

PREPARED BY:

JULIE L. RODEWALD, County Clerk-Recorder
County of San Luis Obispo
Elections Division
1055 Monterey Street, D120
San Luis Obispo, CA 93408
805-781-5228

TABLE OF CONTENTS

<u>PAGE</u>	<u>TITLE</u>
1	Code of Fair Campaign Practices
2	Important Things to Remember/FPPC Requirements
4	Campaign Disclosure Requirements & Pre-Campaign Reporting Requirements
7	Campaign Filing Schedules – State and Local Offices/Measures
11	Penal Provisions Involving Elections
13	Campaign Literature
14	Political Advertising Disclaimers
19	Campaign Sign Requirements – State and County
22	Who You Gonna Call?
23	Precinct Maps
24	Voter Information Price List & Information

PROVISIONS OF THE CODE OF FAIR CAMPAIGN PRACTICES

As found in Chapter 5 of Division 20 of the
California Elections Code

Chapter 5. Fair Campaign Practices Article 1. General Intent

§20400. Intent of legislature.

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 (1)

§20420. Definition of "Code."

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

Article 3. Code of Fair Campaign Practices

§20440. Subscription to code; form.

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: (see reverse)

§20441. Supply of forms.

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. Retention of forms; public inspection.

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. Public record.

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

§20444. Voluntary.

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

(1) 304. Campaign advertising or communication means a communication authorized by a candidate or a candidate's controller committee, as defined in section 82016 of the Government Code, or by a committee making independent expenditures, as defined in Section 82031 of the Government Code, or by a committee formed primarily to support or oppose a ballot measure, as defined in Section 82047.5 of the Government Code, for the purpose of advocating the election or defeat of a qualified candidate through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type general, public, political advertising.

305. Candidate for public office means an individual who has qualified to have his or her name listed on the ballot of any election, or who has qualified to have written votes on his or behalf counted by election officials, for nomination for or election to, any state, regional, county, municipal, or district office which is filled at an election. The provisions of this chapter do not apply to candidates for federal office.

CODE OF FAIR CAMPAIGN PRACTICES
(ELECTIONS CODE § 20440)

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

THEREFORE:

- (1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties 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 that I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

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

Print Name

Signature

Date

Office

CANDIDATES: Important Things to Remember to Comply with the Requirements of the Fair Political Practices Commission (FPPC)

1. BE INFORMED

Study FPPC Manual 2 and the Addendum. Local candidates should ask their election official about any local campaign restrictions. San Luis Obispo County has no local rules.

2. BEFORE RAISING OR SPENDING ANY MONEY

File Form 501 (Candidate Intention) and then open a campaign bank account. Once \$1,000 is raised or spent, obtain an identification number by filing Form 410. Name of a candidate controlled committee must include the name of the candidate, office sought and the year of the election.

3. MARK YOUR CALENDAR

Know the due dates for campaign statements and file on time.

4. KEEP GOOD RECORDS

Maintain details on contributions and expenditures of \$25 or more. Refer to record keeping guidelines in Manual 2.

5. \$100 OR MORE IN CASH?

Never accept or spend \$100 or more in cash.

6. USING PERSONAL FUNDS FOR CAMPAIGN EXPENSES

All personal funds of the candidate must first be deposited in the campaign bank account, except for the filing fee and candidate statement of qualification fee.

7. REPORT LATE CONTRIBUTIONS

If \$1,000 or more is received from one contributor during the last 16 days before the election, disclose receipt within 24 hours, even if the contribution is from your personal funds.

8. ITEMIZE CONTRIBUTIONS

For contributions of \$100 or more, including loans and in-kind contributions, you must disclose the contributor's name, address, occupation and employer.

9. IF AN AGENT OR CAMPAIGN CONSULTANT BUYS GOODS OR SERVICES FOR THE CAMPAIGN

Itemize expenditures of \$500 or more made by the agent or consultant.

10. IDENTIFY CANDIDATE/COMMITTEE ON MAILINGS

Include your committee name and address in at least 6-point type on the outside of all mass mailings (more than 200 pieces). You must also include the words "Paid for by" immediately adjacent to or before the committee name and address.

11. NO PERSONAL USE OF CAMPAIGN FUNDS

Use campaign funds only for political, legislative, or governmental purposes.

12. BE MORE INFORMED

Attend a campaign workshop in your area. Contact your local filing officer or the FPPC if you have any questions.

CAMPAIGN DISCLOSURE REQUIREMENTS

The Political Reform Act of 1974 requires all candidates for state and local elective office, all state and local elected officeholders, proponents of state and local ballot measures who control a ballot measure committee, and committees supporting or opposing state and local candidates, and all measure and petition circulation committees, to file campaign disclosure statements disclosing contributions received and expenditures made.

It is the responsibility of the candidate and the committee treasurer to be aware of and to file the required campaign disclosure statements in a correct and timely manner. **Government Code §91013 provides for a late filing fine of \$10 per day for the late filing of any campaign disclosure statements after the deadline until the statement or report is filed.**

PRE-CAMPAIGN REPORTING REQUIREMENTS FOR CANDIDATES AND/OR COMMITTEES

FORM 501-CANDIDATE INTENTION STATEMENT

WHO FILES:

A candidate for state or local office must file Form 501 prior to solicitation or receipt of **any contribution or expenditure** of any personal funds used for the election. You must file a separate Form 501 for each election, including reelection to the same office.

Exception: This form is not required if you will not solicit or receive contributions from other persons and the only expenditures will be from your personal funds used for the filing fee and/or Statement of Qualifications printed in the voter information guide.

WHEN TO FILE:

Form 501 must be filed before you solicit or receive any contributions or before you make any expenditure from personal funds on behalf of your candidacy. This form is considered filed the date it is postmarked or hand delivered.

Exception: A candidate may use his or her personal check to pay the filing fee and/or Statement of Qualifications fee.

WHERE TO FILE:

State Candidates	Local Candidates
Send Original to	Send Original to:
Secretary of State Political Reform Division 1500 11th Street, Room 495 Sacramento CA 95814	County Clerk-Recorder 1055 Monterey St. Ste. D120 San Luis Obispo CA 93408

See appropriate Campaign Disclosure Manual and California Form 501 for additional instructions and filing requirements.

FORM 410—STATEMENT OF ORGANIZATION

DEFINITIONS:

RECIPIENT COMMITTEE - A recipient committee is any individual (including an officeholder or a candidate), group of individuals, organization, or any other entity that receives contributions totaling \$1,000 or more during a calendar year.

CONTRIBUTION -The term “contribution” includes monetary payments, loans and non-monetary goods or services.

PERSONAL FUNDS—Candidates- The personal funds of a candidate or officeholder used in connection with seeking or holding elective office are contributions and are counted towards qualifying as a recipient committee. However, personal funds used to pay a candidate filing fee or a fee for the Statement of Qualifications to appear in the voter information guide are not counted toward the \$1,000 threshold.

Pursuant to Government Code §84300(a), no contribution of one hundred dollars (\$100) or more shall be made or received in cash. Pursuant to Government Code §84300(b), no expenditure of one hundred dollars (\$100) or more shall be made in cash.

WHO FILES:

Recipient committees as defined above.

WHEN TO FILE:

File the Form 410 within 10 days of receiving \$1,000 in contributions. The date this form is postmarked is the date it is considered filed.

A recipient committee qualifying during the 16 days prior to an election in which it must file pre-election statements must file a Form 410 (or the information required on a Form 410) by fax, guaranteed overnight delivery, or personal delivery within 24 hours of qualification with the filing officer who will receive the committee’s original disclosure statements. A Form 410 must also be filed with the Secretary of State within 10 days.

A recipient committee qualifying during the 16 days prior to an election in which the committee makes independent expenditures or \$1,000 or more to support or oppose a candidate in that election must file the Form 410 (or the information contained on the Form 410) within 24 hours of qualification with the filing officer who will receive the committee’s original disclosure statements and with the filing officer(s) for the candidate(s) supported or opposed by the independent expenditure. These filings must be made by fax, guaranteed overnight delivery, personal delivery, or online (if online filing is available).

WHERE TO FILE:

All Committees	County, School & District Committees:
Send Original and one copy to:	Send Copy to:
Secretary of State Political Reform Division 1500 11th Street, Room 495 Sacramento CA 95814	County Clerk-Recorder 1055 Monterey St. Ste. D120 San Luis Obispo CA 93408

You will receive written notification from the Secretary of State’s Office assigning an identification number to your committee. (Identification numbers are also posted on the Secretary of State’s web site at www.cal-access.ss.ca.gov.)

See appropriate Campaign Disclosure Manual and California Form 410 for additional instructions and filing requirements.

FORM 470- CAMPAIGN STATEMENT - SHORT FORM

WHO FILES

Candidates who:

- do not have a controlled committee
- do not anticipate receiving contributions totaling \$1,000 or more in the calendar year
- do not anticipate spending \$1,000 or more in a calendar year

Exceptions: County Central Committee and County Council members are not required to file.

WHEN TO FILE

Candidates are encouraged to file at same time as Declaration of Candidacy. Form 470 must be filed by first pre-election filing deadline noted on Schedule on Pages 6-10.

WHERE TO FILE

County Clerk-Recorder's Office
1055 Monterey St. Ste D120
San Luis Obispo CA 93408

FORM 460- CAMPAIGN STATEMENT - LONG FORM

WHO FILES

- Candidates, Officeholders and their Controlled Committees
- Primarily Formed Ballot Measure Committees
- Primarily Formed Candidate/Officeholder Committees
- General Purpose Committees

WHEN TO FILE

See Schedule on Pages 6-10 for filing deadlines and reporting periods.

WHERE TO FILE

County Clerk-Recorder's Office
1055 Monterey St. Ste D120
San Luis Obispo CA 93408

**Fair Political Practices Commission
Filing Schedule for
Candidates and Controlled Committees for Local Office
Being Voted on June 3, 2014**

Deadline	Period	Form	Notes
Jan 31, 2014 <i>Semi-Annual</i>	thru – 12/31/13	460 470	<ul style="list-style-type: none"> An individual who filed candidacy papers in 2013 must file Form 460 or Form 470 to disclose activity for that year.
Within 24 Hours <i>Contribution Reports</i>	3/5/14 – 6/2/14	497	<ul style="list-style-type: none"> File if a contribution of \$1,000 or more in the aggregate is received from a single source. File if a contribution of \$1,000 or more is made in the aggregate to <i>another</i> candidate or measure being voted upon June 3, 2014, or to a political party committee. The recipient of a non-monetary contribution of \$1,000 or more must file a Form 497 report within 48 hours from the time the contribution is received. File personal delivery, guaranteed overnight service, fax or online.
Mar 24, 2014 <i>Pre-Election</i>	1/1/14 – 3/17/14	460 470	<ul style="list-style-type: none"> Each candidate listed on the ballot must file Form 460 or Form 470 (see below). The March 22 deadline falls on Saturday, so the deadline is extended to the next business day.
May 22, 2014 <i>Pre-Election</i>	3/18/14 – 5/17/14	460	<ul style="list-style-type: none"> All committees must file Form 460. File by personal delivery, guaranteed overnight service or online.
Jul 31, 2014 <i>Semi-Annual</i>	5/18/14 – 6/30/14	460	<ul style="list-style-type: none"> All committees must file Form 460 unless the committee filed termination Forms 410 and 460 before June 30, 2014.

- **Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **Filing Deadlines:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to 24-hour independent expenditure reports (Form 496) and 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 is not required if a local agency requires online filing pursuant to a local ordinance.
- **Candidate - Form 460 or 470:** Use Form 470 if less than \$1,000 is raised/spent in calendar years 2013 or 2014. Use Form 460 if \$1,000 or more is raised/spent in 2014 and also file Form 410, Statement of Organization. Note: All candidates must file Form 501 before soliciting contributions.
- **County Central Committee Candidates:** A campaign statement is not required (even the Form 470) of an individual seeking election to a county central committee office as long as the candidate does not receive contributions of \$1,000 or more or make expenditures of \$1,000 or more.
- **Form 470:** Candidates who do not have a committee and do not raise/spend \$1,000 in 2014 may file Form 470 on paper once a year on or before March 24, 2014. If, later during the calendar year, a campaign committee must be opened, a Form 470 Supplement must be filed.
- **Officeholders whose salaries are less than \$200/month and judges:** These officials who are not listed on the ballot are not required to file the semi-annual statements if no contributions were received or expenditures made during the period.

Fair Political Practices Commission

- **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, click on the [Campaign](#) link.
- **Prohibition on Candidate Independent Expenditures:** A controlled committee may not make independent expenditures to support or oppose candidates and may not contribute to another committee for the purpose of making independent expenditures to support or oppose other candidates. However, a committee may make independent expenditures in connection with a ballot measure. Disclosure reports include:
 - **462:** A verification form must be emailed to the FPPC within 10 days of an independent expenditure of \$1,000 or more.
 - **465:** This form is due on applicable pre-election/semi-annual deadlines in connection with the ballot measure election.
 - **496:** This form is due within 24 hours when made in a 90-day period of the election. Refer to the ballot measure election filing schedule.

∞

**Fair Political Practices Commission
Filing Schedule for
Candidates and Controlled Committees for Local Office
Being Voted on November 4, 2014**

Deadline	Period	Form	Notes
Jul 31, 2014 <i>Semi-Annual</i>	thru – 6/30/14	460	<ul style="list-style-type: none"> All committees must file Form 460.
Within 24 Hours <i>Contribution Reports</i>	8/6/14 – 11/3/14	497	<ul style="list-style-type: none"> File if a contribution of \$1,000 or more in the aggregate is received from a single source. File if a contribution of \$1,000 or more is made in the aggregate to <i>another</i> candidate or measure being voted upon November 4, 2014, or to a political party committee. The recipient of a non-monetary contribution of \$1,000 or more must file a Form 497 report within 48 hours from the time the contribution is received. File personal delivery, guaranteed overnight service, fax or online.
Oct 6, 2014 <i>Pre-Election</i>	7/1/14 – 9/30/14	460 470	<ul style="list-style-type: none"> Each candidate listed on the ballot must file Form 460 or Form 470 (see below). The October 5 deadline falls on Sunday, so the deadline is extended to the next business day.
Oct 23, 2014 <i>Pre-Election</i>	10/1/14 – 10/18/14	460	<ul style="list-style-type: none"> All committees must file Form 460. File by personal delivery, guaranteed overnight service or online.
Feb 2, 2015 <i>Semi-Annual</i>	10/19/14 – 12/31/14	460	<ul style="list-style-type: none"> All committees must file unless the committee filed termination Forms 410 and 460 before December 31, 2014. The January 31, 2015, deadline falls on Saturday, so the deadline is extended to the next business day.

- **Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **Filing Deadlines:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to 24-hour independent expenditure reports (Form 496) and 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 is not required if a local agency requires online filing pursuant to a local ordinance.
- **Candidate - Form 460 or 470:** Use Form 470 if less than \$1,000 is raised/spent in calendar years 2013 or 2014. Use Form 460 if \$1,000 or more is raised/spent in 2014 and also file Form 410, Statement of Organization. Note: All candidates must file Form 501 before soliciting contributions.
- **County Central Committee Candidates:** A campaign statement is not required (even the Form 470) of an individual seeking election to a county central committee office as long as the candidate does not receive contributions of \$1,000 or more or make expenditures of \$1,000 or more.

Fair Political Practices Commission

- **Form 470:** Candidates who do not have a committee and do not raise/spend \$1,000 in 2014 may file Form 470 on paper once a year on or before October 6, 2014. If, later during the calendar year, a campaign committee must be opened, a Form 470 Supplement must be filed.
- **Officeholders whose salaries are less than \$200/month and judges:** These officials who are not listed on the ballot are not required to file the semi-annual statements if no contributions were received or expenditures made during the period.
- **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, click on the [Campaign](#) link.
- **Prohibition on Candidate/Officeholder Independent Expenditures:** A controlled committee may not make independent expenditures to support or oppose candidates and may not contribute to another committee for the purpose of making independent expenditures to support or oppose other candidates. However, a committee may make independent expenditures in connection with a ballot measure. Disclosure reports include:
 - **462:** A verification form must be emailed to the FPPC within 10 days of an independent expenditure of \$1,000 or more.
 - **465:** This form is due on applicable pre-election/semi-annual deadlines in connection with the ballot measure election.
 - **496:** This form is due within 24 hours when made in a 90-day period of the election. Refer to the ballot measure election filing schedule.

PENAL PROVISIONS INVOLVING ELECTIONS

These code sections are provided for information. It is the candidate's responsibility to be aware of all election-related activities that could result in criminal penalties

Election Code Sections:

§18301 Printing of simulated sample ballots:

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 that does not contain the statement required by Section 20009 or that uses an official seal or insignia in violation thereof, is guilty of a misdemeanor.

§18302 Designation of precinct polling place

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.

§18303 Mass mailing penal provisions:

Every person who violates Section 84305 of the Government Code relating to mass mailing is subject to the penal provisions set forth in Chapter 11 (commencing with Section 91000) of Title 9 of the Government Code.

§18320 Political cyberfraud defined:

- (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, mouse-trapping, pop-up screens, or other electronic measures.
- (C) Registering a domain name that is similar to another domain name for 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.

BUSINESS AND PROFESSIONS CODE SECTIONS

§17525. (a) It is unlawful for a person, with a bad faith intent to register, traffic in, or use a domain name, that is identical or confusingly similar to the personal name of another living person or deceased personality, without regard to the goods or services of the parties. Et seq

§17526 In determining whether there is bad faith intent pursuant to Section 17525, a court may consider factors, including, but not limited to, the following: ...

- (j) The intent of a person alleged to be in violation of this article to mislead, deceive, or defraud voters.

§17528.5 In addition to any other remedies available under law, a court may order the transfer of a domain name as part of the relief awarded for a violation of this article.

MISREPRESENTATION BY CANDIDATES

§18350 Misleading of voters; incumbency; public officer

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 of 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, which he or she is or 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.

§18351 False statements in candidate statement; fine.

Any candidate in an election or incumbent in a recall election who knowingly makes a false statement of a material fact in a candidate's statement, prepared pursuant to Section 113307 or 11327, 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).

ELECTIONEERING

§18370 Electioneering within 100 feet of a polling place.

No person, on Election Day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place, a satellite location under Section 3018, or an election official's office:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his or her ballot.
- (c) 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.
- (d) Do any electioneering as defined by Section 319.5.

As used in this section "100 feet of a polling place, a satellite location under Section 3018, or an election official's office" means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

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

§18371 Electioneering during vote by mail voting.

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

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

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

CAMPAIGN LITERATURE

§20008 Political advertisement requirements:

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

§20009 Simulated ballot requirements:

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

<p>NOTICE TO VOTERS (Required by Law)</p> <p>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).</p>
--

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.

Political Advertising Disclaimers

Under California’s Political Reform Act, committees must put “paid for by” disclaimers on campaign advertising, including campaign mailers, radio and television ads, telephone robocalls, and electronic media ads. This brochure discusses disclaimer requirements for committees that purchase advertisements or circulate material supporting or opposing a state or local candidate or ballot measure in California.

What is a disclaimer?

A “disclaimer” is the portion of a political message that identifies the person or entity who paid for or authorized the communication. “Paid for by *committee name*” is the basic disclaimer required by the Act on most campaign communications sent by a *committee*.

Who is a committee?

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

When is a disclaimer required on political ads or materials?

Political committees must include the following disclaimers:

- **Mass mailings**, including blast campaign emails, must include identification of the sender.
- **Paid telephone calls** must identify the candidate or committee who paid for or authorized the call.
- **Radio and television ads** must include “paid for by” disclaimer under Federal Communications Commission (FCC) law.
- **Ballot measure ads and independent expenditure ads** must include “paid for by *committee name*” and such ads by primarily formed committees must also list top two donors of \$50,000 or more. This applies to television, radio, and electronic media advertisements, robocalls, mass mailings, and print ads such as newspaper ads, billboards and yard signs.

Are the Act's disclaimer rules the same for all committees and all ads?

No. Basic disclaimer rules apply to campaign materials disseminated by a candidate for their own election campaign because it is generally clear to the public that the candidate is sending the communication. Stricter disclaimer rules apply to (1) ballot measure advertisements and (2) independent expenditure advertisements on candidates and ballot measures, because it is less clear to the public who is responsible for these ads.

What does the disclaimer have to state?

The basic disclaimer must state: "Paid for by *committee name*." Ballot measure and independent expenditure ads paid for by primarily formed committees must also list top two donors of \$50,000 or more and special committee name rules apply. All *independent expenditure* ads for or against a candidate must state that the ad was: "Not authorized by a candidate or a committee controlled by a candidate."

What is an independent expenditure?

An "independent expenditure" is an expenditure made by any person in connection with a communication that expressly advocates the election or defeat of a clearly identified candidate or measure, or taken as a whole and in context, unambiguously urges a particular result in an election but which is not made at the behest of (e.g., in consultation, cooperation or coordination with) the affected candidate or committee. For further clarification see FPPC Regulation 18225.

Political Advertising Disclaimer Charts

Click on these links to charts showing the disclaimer requirements for your communication.

Candidates

1. [Communications by Candidate Committees for their own Election](#)
2. [Independent Expenditure Ads on Candidates](#)

Ballot Measures

3. [Ballot Measure Ads](#) (by committees primarily formed for a state or local ballot measure)
4. [Independent Expenditures Ads on Ballot Measures](#)
(by general purpose recipient committees, major donors, and independent expenditure committees)

On mass mailings, what does the disclaimer state?

A mass mailing -- over 200 substantially similar pieces of mail -- must include on the outside of the envelope: "Paid for by" and the name and address of the candidate or committee sending the mailing. The name and address must be in no less than 6-point type and in a color or print which contrasts with the background so that it is easily read.

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

Candidate:

Paid for by Jones for Mayor 2014 123 Elm Street Elmton, CA 95523	Fred Smith 7200 Oak St Oakville, CA
--	---

Measure:

Paid for by Citizens in Support of Measure B 123 Elm Street Elmton, CA 95523	Fred Smith 7200 Oak St Oakville, CA 92253
--	---

Independent Expenditure:

Paid for by ABC Company 123 Elm Street Elmton, CA 95523	Fred Smith 7200 Oak St Oakville, CA 92253
---	---

On emails, what does the disclaimer state?

When over 200 substantially similar emails are sent by a political committee, the email must include "Paid for by and the committee name." The committee's street address is not required on mass emails sent by a committee, but may be included.

How must the disclaimer appear?

Disclaimers on political ads and literature must be clear and conspicuous so as to be understood by the intended public. Written disclaimers must be printed clearly and legibly. Spoken disclaimers must be clearly audible and intelligible. Specific requirements for color contrast, print font size and time appearing on screen are listed in the disclaimer charts above.

Updating a disclaimer

When a committee's name changes because of new top donors or otherwise, advertisement disclaimers must be revised. Television, radio, electronic media, or robocalls must be amended within five calendar days. Print media, mass mailings, or other tangible items must be amended every time an order to reproduce is placed.

Advertisements in Languages Other than English

Disclaimers on political advertisements should be written or spoken in the same language used in the advertisement.

Does a disclaimer have to appear on ALL printed materials or campaign items?

No. A disclaimer is not required on regular-size campaign buttons, pins, bumper stickers, or magnets. It is not required on pens, pencils, rulers, mugs, potholders, key tags, golf balls and similar small campaign promotional items where a disclaimer cannot be conveniently printed. The disclaimer is not required on t-shirts, caps, hats, and other articles of clothing; skywriting and airplane banners; or committee checks and receipts.

Does a disclaimer have to appear on communications from an organization to its members?

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

Can the FPPC answer my questions about disclaimers on my campaign communications?

Yes. The FPPC can assist you with questions about disclaimers on campaign communications. Use the Technical Assistance division advice email - advice@fppc.ca.gov. In some cases a copy of the ad will be required.

Is there a penalty for circulating or publishing literature or other material concerning a candidate or ballot measure without a disclaimer?

Yes. The penalty for failing to comply with the Act's disclaimer requirements is a fine of up to \$5,000 per violation. In addition, any person who violates the disclaimer requirements concerning ballot measure and independent expenditure advertisements may be liable for a fine of up to three times the cost of the advertisement, including placement costs.

What is the proper procedure to report violations for circulating or publishing materials without a disclaimer?

You may file a written complaint with the Fair Political Practices Commission's Enforcement division.

Can the FPPC check the truth or accuracy of the political communication?

No. The Act does not regulate the truth or accuracy of the content of political communications, given the broad First Amendment protection for political speech.

Must political messages in literature or other material concerning candidates for federal offices include a disclaimer?

Federal election law governs disclaimers on election materials for federal candidates. Contact the Federal Election Commission at www.fec.gov or (800) 424-9530 for information.

“Do not call” lists

Questions or comments regarding “do not call” lists should be addressed to the National Do Not Call Registry, administered by the Federal Trade Commission (FTC) at www.donotcall.gov. The federal Do Not Call Registry is a list of phone numbers of consumers who want to limit the telemarketing calls they receive. The “do not call” provisions do not cover calls from political organizations, charities, telephone surveyors or companies with which a consumer has an existing business relationship.

Posting political signs on utility poles and other public property

Check local ordinances for rules on posters and yard signs. Local law may restrict or prohibit the placement of campaign signs on government-owned property.

This brochure presents a summary of the law. For further legal information, consult the Act and its corresponding regulations and opinions.

DEPARTMENT OF TRANSPORTATIONDIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM

Dear Candidate or Committee Member:

As a candidate or campaign worker for either office or a ballot measure, this reminder about State law governing campaign signs should be helpful to you.

Section 5405.3 of the State Outdoor Advertising Act exempts the placing of Temporary Political Signs from normal outdoor advertising display requirements.

A Temporary Political Sign meets the following criteria:

- A. Encourages a particular vote in a scheduled election.
- B. Is placed no sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.
- C. Is no larger than 32 square feet.
- D. Has had a Statement of Responsibility filed with the Department certifying a person who will be responsible for removing the sign (Attached).

A completed Statement of Responsibility must be submitted to:

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

Temporary Political Signs shall not be placed within the right-of-way of any highway, or be visible within 660 feet from the edge of the right-of-way of a classified "Landscaped freeway".

State law directs the Department of Transportation to remove unauthorized Temporary Political Signs and bill the responsible party for their removal. We are calling these provisions to your attention to avoid possible embarrassment or inconvenience to you and your supporters. Please share this information with those assisting in your campaign.

Should you have any questions, comments or need additional information, please call (916) 654-6473.

Enclosure

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



DEPARTMENT OF PLANNING AND BUILDING COUNTY OF SAN LUIS OBISPO

REGULATIONS FOR POLITICAL SIGNS IN UNINCORPORATED SAN LUIS OBISPO

To: Candidates for Office

The San Luis Obispo County Code has regulations regarding the placement and size of campaign signs that are placed in the unincorporated areas of the county. We are providing this letter in the candidate's package with the hopes that you and your staff will advise supporters of the regulations when they provide them with campaign signs.

San Luis Obispo County Code Section 23.04.306b (coastal) and 22.20.040B12 (inland) exempts political signs from requiring a permit, but only if the following regulations are adhered to:

1. In Residential land use categories within urban or village area (such as Templeton, Cambria, San Miguel, Los Osos, Huasna, etc.), political signs are not to exceed four (4) square feet total for each site.
2. In other land use categories (such as Commercial, Industrial), within urban or village areas, political signs are not to exceed 16 square feet total for each site.
3. In areas outside of village reserve lines, political signs are not to exceed 32 square feet total for each site.
4. Signs are not to be posted any earlier than 60 days before the election, and must be removed within 14 days after the election.
5. Signs are not to be posted on or adjacent to any utility poles, parking meters, traffic sign posts, traffic signals or other traffic markers, or within the road right-of-way or other public property. These signs may be removed by county staff.

Best wishes in your campaign and if you have any questions, please feel free to call the San Luis Obispo County Planning Department Code Enforcement at 805-781-5705.

CITY REQUIREMENTS

Each incorporated city may have additional or different requirements for signs placed within the city limits. For more information, contact the city's Community Development Department, Planning or the City Clerk's Office.

WHO YOU GONNA CALL?

The San Luis Obispo County Elections Department is NOT an enforcement agency and is therefore unable to investigate any violations. When our office receives reports of violations, we simply refer them to the agencies listed below:

False or misleading campaign materials.

No agency enforcement. These issues are dealt with in court. Seek legal advice.

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 fund; disclosure of economic interests.

Contact the Fair Political Practices Commission at www.fppc.ca.gov 866-275-3772

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, 781-5800, or the California State Attorney General at www.caag.state.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, 781-5800, or the California State Attorney General at www.caag.state.ca.us 800-952-5225

Local ordinances.

Contact your local city attorney or district attorney, 781-5800

Vandalism concerning campaign signs.

Contact the sheriff's department 781-4550, or city police where vandalism occurred

Requirements concerning campaign signs.

Contact local city clerk or city's Community Development Department, OR the County Department of Planning and Building, 781-5600, OR State Department of Transportation at 916-654-4790, depending on the location of the sign- see previous pages

FEDERAL & STATE ENFORCEMENT OFFICES

Fair Political Practices Commission
P.O. Box 807 (95812-0807)
428 J Street, Suite 450
Sacramento, CA 95814
866-275-3772 // FAX: 916-322-3711

Reporting Enforcement Violations
800-561-1861

Secretary of State
Political Reform Division
1500 11th Street, Room 495
Sacramento, CA 95814
916-653-6224 // FAX: 916-653-5045

Elections Division
916-657-2166

Federal Election Commission
999 E Street, NW
Washington, DC 20463
800-424-9530
For the hearing impaired, TTY 202-219-3336

Attorney General
P.O. Box 944255
Sacramento, CA 94244-2250
916-445-9555 // 800-952-5225

LOCAL ENFORCEMENT OFFICES

San Luis Obispo County District Attorney
4th Floor, County Government Center
San Luis Obispo, CA 93408
805-781-5800

San Luis Obispo County Sheriff's Dept.
1585 Kansas Ave.
P.O. Box 32
San Luis Obispo, CA 93406
805-781-4540

PRECINCT MAPPING RESOURCES

The Clerk-Recorder's office has implemented GIS (Geographical Information Systems) technology in maintaining precinct boundaries and map printing. This allows the use of data maintained by various county departments and agencies (Public Works, Assessor, Planning, Cities, LAFCO, the Citizens Redistricting Commission and the Census Bureau) when drawing precinct boundary lines. The use of technology in these functions will result in more accurate and up-to-date maps.

Large format pdf maps (48" x 36") are available free of charge for download on the Clerk-Recorder's website. Maps of the entire county, supervisorial districts, cities, and major communities are available online.

For more detailed viewing, a mapping application is also available with print functionality (11" x 17" maps) on the Clerk-Recorder's website: www.slovote.com

PRECINCT MAPS

Every attempt has been made to provide electronic precincts maps to the public on the Clerk-Recorder's website. Upon request, existing pdf maps can be burned onto a cd for \$2. Printed versions of existing large format map must be ordered and cost \$15 each.

If you have any questions, please contact the Clerk-Recorder office.

NOTE: The County of San Luis Obispo does not assume liability for any damages caused by any errors or omissions in the data of the precinct maps. The County of San Luis Obispo makes no warranty of any kind, express or implied, that these data are accurate and reliable, nor does the fact of distribution constitute such a warranty. Independent verification of all data contained on these maps should be obtained by any user thereof. Users assume responsibility to determine the appropriate use of these data.

In House Computer CD Voter Information:

All CD orders except ones formatted for labels will include all information available from voter master file. See Multipurpose Voter File information on next page.

Current Voters: Standard Selection Criteria

Precinct(s) _____

Consolidated Precinct(s) _____

District _____

City _____

Party All _____ or _____

Registration Dates: From _____ to _____

Vote By Mail Voters _____

Vote By Mail Voters: All ___ or Daily ___ or enter Date Range _____ To _____

Voter History: All elections on file: _____, or specific elections: _____

Format: Delimiters: Tab _____ Comma _____ Flat File _____

Note: All downloads will include the full voter information file, with or without voter History. You will have to sort the file for a finer sort such as zip code, sex, mailing address, etc...

Costs:

All orders:	\$42.00	Setup
	2.00	Per Diskette or CD
	.50.	Per 1000 voter records

Total Cost: _____

Candidate/Campaign Name: _____

Contact: _____

Phone: _____

Application Form on File:

Prepaid Account: Yes _____ No _____ **Balance Available:** _____

DIMS System Voter Information (in house processes)

Description	Process #	Contents	Fee
Precinct Walking List: Standard Selection Criteria:	R708.01: Printed in Precinct-Street Name & Number	Name, Residence Address Precinct, Party, Phone #	.50 per 1000 names
Alpha Voter List: Standard Selection Criteria:	R102.01: Alpha list by last name	Affidavit #, Name, Address (Residence & Mailing) Precinct, Phone #	\$42.00 Setup plus .50 per 1000 names
Voter Master File with or without Voter History on CD: Standard Selection Criteria:*	Multi-Purpose Voter File Export: Voter Master File & Those who Voted in Previous Elections or a Specified Election. Tab Delimited format.	May be ordered back to General Election 2000. Nothing before that date. All voter information included for all voters.	\$42.00 Setup plus 2.00 per CD plus .50 per 1000 names
VBM Issued/Returned File Standard Selection Criteria: (Available only during election period)	AV Multi-Purpose Flat File: Created in Tab Delimited format. May require separate files for voted and non-voted records.	File listing those voters issued vote by mail ballots during an election with vbm date entered and date returned.	\$42.00 Setup plus 2.00 per CD plus .50 per 1000 names

*See next page for all information included on Voter Master File.

VOTER MULTIPURPOSE FILE LAYOUT Version7.6.xx

ITEM SEQ	FIELD NAME/DESCRIPTION	Max SIZE	START	END
1	VOTER ID	9	0	9
2	STATUS	1	10	10
3	ABBR (REASON)	12	11	22
4	AFFIDAVIT	12	23	34
5	LAST VOTED	1	35	35
6	PREFIX	5	36	40
7	VOTERS NAME; LAST	32	41	72
8	FIRST	16	73	88
9	MIDDLE	16	89	104
10	SUFFIX	5	105	109
11	HOUSE NUMBER	10	110	119
12	HOUSE FRACTION	3	120	122
13	PRE DIR	5	123	127
14	STREET	24	128	151
15	TYPE	5	152	156
16	POST DIR	5	157	161
17	BUILDING NUMBER	4	162	165
18	APT NUMBER	12	166	177
19	CITY	25	178	202
20	STATE	2	203	204
21	ZIP	10	205	214
22	PRECINCT	9	215	223
23	PORTION	3	224	226
24	CONSOLIDATION	9	227	235
25	ALPHA SPLIT	32	236	267
26	PARTY	5	268	272
27	REG DATE (mm/dd/yyyy)	10	273	282
28	IMAGE ID	9	283	291
29	PHONE 1	16	292	307
30	PHONE 2	16	308	323
31	MILITARY (Y, N, BLANK)	1	324	324
32	GENDER (F, M)	1	325	325
33	PERMANENT AV (Y/N)	1	326	326
34	SOURCE (NVRA)	5	327	331
35	BIRTH PLACE	5	332	336
36	BIRTH DATE (mm/dd/yyyy)	10	337	346
37	CARE OF	40	347	386
38	MAIL STREET	40	387	426
39	MAIL CITY	40	427	466
40	MAIL STATE	2	467	468
41	MAIL ZIP	10	469	478
42	MAIL COUNTRY	16	479	494
43	LTD (LAST TRANSACTION DATE)	10	495	504
44	LANGUAGE (when allowed)	5	505	509
45	DRIVERS LICENSE (when allowed)	16	510	525
46	EMAIL	64	526	589
47	ORIGINAL REGISTRATION DATE	10	590	599
48	PAV CATEGORY	5	600	604
49	CONFIDENTIAL	1	605	605
50	ID REQUIRED	1	606	606
51	CITIZEN	1	607	607
52	UNDERAGE	1	608	608
53	PRECINCT NAME	24	609	632
54	HOUSE DISTRICT	32	633	664
55	SCHOOL DISTRICT	32	666	696
56	VOTER HISTORY (V=Poll, A=VBM, N=Did Not Vote, Null=Not Registered at the Time)	160	697	856
57	CR/LF	2	857	858