



# **CANDIDATE INFORMATION BOOKLET**

## **COUNTY CENTRAL COMMITTEES AND COUNTY COUNCILS**

### **PRESIDENTIAL PRIMARY ELECTION MARCH 3, 2020**

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## **PLEASE NOTE:**

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, the County Elections Official or their staff 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 County Elections Official or their staff 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.

All references contained in this guide are to the [California Elections Code \(EC\)](#) unless otherwise stated.

**Information effective September 16, 2019 (may be subject to change)**

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## SETTING CANDIDATE APPOINTMENTS

Prospective candidates must schedule a nomination appointment prior to/during the nomination period.

To make candidate appointments efficient for everyone, candidates **must** call the Clerk Recorder's office at 805-781-5228 ahead of time and be prepared to provide the following information:

- Name of Central Committee Party
- Name as Registered
- Residence Address
- Mailing Address
- Confidential Phone #
- Daytime Phone #
- Evening Phone #
- Fax #
- Email
- Website
- Name to Appear on Ballot
- Ballot Designation

Candidates will then be emailed a packet of forms to be completed and presented at their first appointment.

## IMPORTANT DATES FOR CANDIDATES

<b><u>DATE</u></b>	<b><u>EVENT</u></b>
<b>September 10</b> E-175	Last day County Election's Official to compute the number of committee members to be elected. (based on SOS Memorandum 15161)
<b>Sept. 27 – Dec. 6</b> E-158 E-88	<b>Nomination Period.</b> Incumbents must file by December 6th at 5:00 PM. (EC § 8020(b))
<b>Oct. 5 – Dec 26</b> E-150 E-68	<b>Announcement of Selected Presidential Candidates – Democratic Party</b> The Secretary of State will announce and publicize the list of names of those persons affiliated with this party whom the Secretary intends to place on the presidential Primary Election ballot. Following this announcement, the Secretary may add candidates, but the Secretary may not delete any candidate whose name appears on the announced list. (EC 6041-6043)
<b>October 2*</b> E-135	<b>Adoption of Party Rule for Decline to State Voters</b> Last day for political party to adopt rule to permit decline to state voters to participate in party's primary nominating election. (EC §13102(c))
<b>November 4</b>	<b>Announcement of Selected Presidential Candidates – American Independent, Green, Libertarian, Peace and Freedom and Republican</b> The Secretary of State will announce and publicize the list of names of those persons affiliated with these parties whom the secretary intends to place on the Presidential Primary Election ballot. Following this announcement, the secretary may add candidates, but the secretary may not delete any candidate whose name appears on the announced list. (EC § 6340-6342, 6520-6522, 6720-6724 and 6852.)
<b>December 11</b> E-83	<b>Party Endorsement List</b> The chair of any qualified political party may provide a written copy of the list of candidates endorsed or nominated by the party. Such a list shall be provided not later than 83 days prior to the election where the candidate for a voter-nominated office will appear on the ballot. (EC § 13302(b))
<b>December 12</b> E-82	<b>Randomized Alphabet Drawing by Secretary of State</b> (EC § 13112)
<b>December 21</b> E-73	<b>County Central Committees – Number to be Elected (American Independent, Democratic, and Republican Parties)</b> Last day to determine whether the number of American Independent, Democratic and Republican County Central Committee candidates who have filed for each Assembly District exceeds the number to be elected. If not, the designation of the office or the candidates shall not be included on the ballot, and the

Board of Supervisors shall declare elected the candidates who have been nominated. (EC§ 7228, 7423 and 7673)

**Central Committee – Number to be Elected (Peace And Freedom Party)** Last day to determine whether the number of Central Committee candidates who have filed for each district exceeds the number to be elected. If not, the designation of the office or the candidates shall not be included on the ballot, and the Board of Supervisors shall declare elected the candidates who have been nominated. (EC § 7772.1)

**December 26**  
E-68

**Announcement of Selected Presidential Candidates – Democratic Party**

The Secretary of State will announce and publicize the list of names of those persons affiliated with this party whom the secretary intends to place on the Presidential Primary Election ballot. Following this announcement, the Secretary may add candidates, but the Secretary may not delete any candidate whose name appears on the announced list. (EC§ 6041-6043)

**Certified List of Candidates** Last day for the Secretary of State to transmit the certified list of candidates. (EC § 8120 and 6180)

**January 31, 2020**

**Semi Annual Campaign Statement Filing Deadline** covering filing period 7/1/19 thru 12/31/19. (Gov Code § 48200, 84218)

**January 23**

**1<sup>st</sup> Pre-Election Campaign Statement Filing Deadline** covering filing period 1/1/20 thru 1/18/20. (Gov Code § 84200.5, 84200.7(a))

**February 3**  
E-29

**First day Vote by Mail Ballots are available** (EC § 3001, 3003)

**Feb 17\***  
E-15

**Close of Registration – Last day to transfer or register to vote in the Presidential Primary Election.** Voters registering between Feb. 4 & Feb 18 will receive notification of their polling place, but will not receive any other voter information. (EC § 2102, 2107)

**Feb. 18 – March 3**  
E-14 - 8:00 p.m.  
**ELECTION DAY**

**Conditional Voter Registration Period**  
(EC§ 2170)

**February 20**

**2<sup>nd</sup> Pre-Election Campaign Statement Filing Deadline** covering filing period 1/19/20 thru 2/15/20. (Gov Code § 84200.5, 84200.7(a))

**Feb 25**  
E-7

**Last Day for Vote-By-Mail ballot to be MAILED to a voter.**  
(EC § 3001)

**March 3**

**Election Day**

**April 2**

**Final Day to Complete Official Canvass** (EC §15301)

E+30  
**July 31**

**Semi-Annual Campaign Statement Filing Deadline** covering  
period 2/16/20 thru 6/30/20. (GC § 84200, 84218)

\* If a filing deadline falls on a weekend or a holiday, it is moved to the next business day.  
For Campaign Filings – please refer to the Fair Political Practices Commission website: [www.fppc.ca.gov](http://www.fppc.ca.gov).

## GENERAL QUALIFICATIONS

Elections Code §201,7209,7407,7654,8001,8068,8101

1. The candidate must be registered with the party whose nomination he/she seeks for not less than three months prior to the time the declaration of candidacy is completed, or for as long as he/she has been eligible to vote in the state. **AND**
2. The candidate has not been registered as affiliated with a qualified political party other than the party whose nomination he/she seeks within twelve months immediately prior to the filing of the declaration of candidacy.

OFFICE Total Members: 23	NUMBER ELECTED FROM EACH SUPERVISORIAL DISTRICT Elections Code §7200	NUMBER OF SIGNATURES TO QUALIFY AS A CANDIDATE
<b>DEMOCRATIC PARTY</b>		Candidates for Democratic County Central Committee must secure 20 to 40 signatures - 20 must be valid and no more than 40 may be submitted. EC §8062(a3).  Signers <b>MUST</b> be registered with the candidate's party and <b>MUST</b> live in the candidate's supervisorial district. EC §8068
District #1	3	
District #2	6	
District #3	5	
District #4	4	
District #5	4	

OFFICE Total Members: 25	NUMBER ELECTED FROM EACH SUPERVISORIAL DISTRICT Elections Code §7400	NUMBER OF SIGNATURES TO QUALIFY AS A CANDIDATE
<b>REPUBLICAN PARTY</b>		Candidates for Republican County Central Committee must secure 20 to 40 signatures - 20 must be valid and no more than 40 may be submitted. EC §8062(a3).  Signers <b>MUST</b> be registered with the candidate's party and <b>MUST</b> live in the candidate's supervisorial district. EC §8068.
District #1	5	
District #2	3	
District #3	4	
District #4	5	
District #5	5	
Members of the central committee take office at the first meeting in either December or January per EC §7441 (b).		



PARTY	NUMBER ELECTED COUNTY WIDE	NUMBER OF SIGNATURES TO QUALIFY AS A CANDIDATE
<b>American Independent Party Central Committee</b>	Chooses not to have Central Committee Nominees appear on the March 3, 2020 Presidential Primary Ballot	N/A
<b>Green Party County Council*</b>	7 AT LARGE	Not less than 20 nor more than 30
<b>Libertarian Party Central Committee**</b>	7 AT LARGE	Not less than 20 nor more than 30
<b>Peace &amp; Freedom Party Central Committee</b>	7 AT LARGE	Not less than 20 nor more than 30
* Per EC § 7903		
**Per EC §7752, 7753, 7776		
**Per Elections Code § 7770, no later than 135 days prior to the direct primary, county elections officials will be notified if there are elections to be held in that county.		
Signers <b>MUST</b> be registered with the candidate's party and live in the county. Elections Code §8068		

## FILING FEE

There is **NO FILING FEE** to run for a central committee or county council office. The Candidate's Statement of Qualifications is not permitted for candidates for central committee or county council office. (EC §8104(a); 13307(a)(1)).

The candidates receiving the highest number of votes (up to the number of members to be elected from each district) in the March Primary will be elected to that party's County Central Committee or County Council. There is no run-off in the November General Election. (EC §7200-7244; 7400-7444; 7650 -7683; 7750-7782)

## ADDITIONAL INFORMATION

**Democratic, Republican & American Independent Parties** - Elections Code §7227, 7228, 7422, 7423, 7672, and 7673

If the number of candidates nominated for election to a committee from a supervisorial district does not exceed the number to be elected from that district, the designation of the office and the names of the candidates will not be printed on the party's ballot. Candidates who file nomination papers but do not appear on the ballot will be appointed in lieu of election by the County Board of Supervisors.

If a petition is filed with the elections official no later than 20 days after the close of the nomination period (December 26, 2019) indicating that a write-in campaign will be conducted for the office and signed by 25 registered voters affiliated with that party, then the contest and the candidates shall be printed on the ballot in that supervisorial district.

**Green and Peace & Freedom Parties** - EC §7772, 7772.1, 7914, 7915

In each county the name of each candidate for member of central committee shall appear on the ballot only if he/she has done either of the following:

1. Filed a nomination paper signed on the candidate's behalf by voters in the appropriate district.
2. Qualified to have his/her name printed on the Direct Primary Ballot as a candidate for the party nomination to a partisan public office.

If the number of candidates nominated for election to a committee does not exceed the number to be elected, the designation of the office and the names of the candidates will not be printed on the party's ballot. Candidates who file nomination papers but do not appear on the ballot will be appointed in lieu of election by the County Board of Supervisors.

If a petition is filed with the election's official no later than 20 days after the close of the nomination period (December 26, 2019) indicating that a write-in campaign will be conducted for the office and signed by 25 registered voters affiliated with that party, then the contest and the candidates shall be printed on the ballot.

**All Parties** - Within five days after a committee meets for its organizational meeting, the newly elected chairperson of the committee shall notify the county elections official of his/her name. EC §7244, 7444, 7694, 7884

## CANDIDATE FILING

**DECLARATION OF CANDIDACY** - EC §8020, 8024, 8028, 8040, 8064, 8800, 8809.

**ALL CANDIDATES** are required to execute and file a Declaration of Candidacy between the dates of **September 27 – December 6, 2019**, in the office of the County Elections Official. If the candidate is out of the county during the Declaration of Candidacy period and is not able to come into the office of the elections official, the candidate may in a written statement signed and dated by the candidate, designate a person to pick up the Declaration of Candidacy form and deliver it to the candidate. The statement shall include language explaining that the candidate is aware that the Declaration of Candidacy must be properly executed and delivered to the election's official in the county of the candidate's residence no later than **5:00 p.m., Friday, December 6, 2019**.

There is no extension for Central Committees or County Council candidates. The deadline for filing is 5:00 p.m., Friday, December 6, 2019 (88 days before the election).

No candidate who has filed a Declaration of Candidacy for any primary election may withdraw as a candidate at that primary election.

**NOMINATION PAPERS** - EC §7227, 7422, 7672, 7772, 8020, 8041, 8060, 8063, 8065-8069, 8081, 8101.

A candidate who declares his/her candidacy will be issued a nomination petition between the dates of **September 27 – December 6**, so that registered voters living within the district and affiliated with his/her party can sign his/her nomination papers. Each candidate can submit up to 40 signatures of which 20 must be valid. The nomination paper shall be delivered to the election's official by the deadline of **December 6th**.

The candidate may use circulators for purposes of securing signatures to the candidate's nomination paper. Circulators shall be registered voters in the district or political subdivision in which the candidate is to be voted on. The elections official shall not accept for filing any nomination paper unless all blanks in the affidavit of circulator are completed.

No more signers shall be secured on the nomination paper than the maximum number required. If, however, through miscalculation or otherwise, more signers are secured than the maximum number, the candidate shall in writing authorize the elections official to withdraw the excess number. Signers shall not sign the nomination paper for more candidates than the number of offices to be filled.

The Elections Official shall verify the signatures of the signers with the affidavits of registration on file in his/her office. Any signer that is registered at a different residence address than what appears on the nomination paper or with a different political party than the candidate or whose signature does not appear to be in the same handwriting as the signature on the affidavit of registration shall be marked "not sufficient". The elections official may cease to check signatures once the minimum requisite number of signatures has been verified.

## WRITE-IN CANDIDATES

Any person who requests to be a write-in candidate and have his/her name as written on the ballot of an election counted for a particular office shall file a Statement of Write-In Candidacy and nomination papers with the requisite number of signatures as required for the office between the dates of **January 6 – February 18**, with the elections official, except as specified below. EC §8600-8605

Write-in candidates shall file nomination papers the same as declared candidates. Signers on the nomination papers shall be registered voters in the district or political subdivision in which the candidate is to be voted on. There is no filing fee to be a write-in candidate.

**NOTE:** In contests with insufficient candidates, a petition indicating a write-in campaign will be conducted for the office must have been filed no later than 20 days after the close of the nomination period (December 6th) pursuant to EC § 7227, 7228, 7422, 7423, 7672, 7673, 7772, 7772.1. See page 4.

## BALLOT NAMES AND DESIGNATIONS

### **NAME ON BALLOT**

The candidate indicates on the Declaration of Candidacy how his/her name should appear on the ballot. This notation 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", or "J. William (Bud) Smith".)

No title or degree may appear on the same line on a ballot as a candidate's name. EC §13106

### **RULES FOR PRINTING CANDIDATE'S NAME ON BALLOTS**

Names of candidates shall be printed on the ballot in accordance with the following rules:

#### **Local Candidates**

1. If the office is to be voted upon wholly within, but not throughout, one county, as in the case of Municipal, District, County Supervisor, and County Central Committee offices, the official responsible for conducting the election shall determine the order of names in accordance with the randomized alphabet as provided for in EC §13111(f), §13112.
2. If the office is to be voted on throughout a single county and there are not more than four Assembly Districts wholly or partly in the county, the County Elections Official shall determine the order of names in accordance with the randomized alphabet as provided for in EC §13112 for the 1st Supervisorial District.

Thereafter, for each succeeding Supervisorial District, the name appearing first for each office in the last preceding Supervisorial District shall be placed last and the order of the other names will remain unchanged. EC §13111(g)

### **RANDOMIZED ALPHABET DRAWING**

For each election, the Secretary of State shall conduct a drawing of the letters of the alphabet pursuant to the procedures set forth in EC §13112. For the Primary election, this drawing will be conducted on **December 12, 2019**. The Secretary of State shall certify and transmit to each county elections official the order in which the names of federal and state candidates, with the exception of candidates for State Senate and Assembly, shall appear on the ballot. The elections official shall determine the order on the ballot of all other candidates using the appropriate randomized alphabet for that purpose.

### **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. Acceptable ballot designations are governed by EC §13107 and Secretary of State Regulations. All candidates may choose a ballot designation to appear immediately under their name on the ballot. EC §13107, CA Code of Regulations §20710-20719

### **BALLOT DESIGNATION WORKSHEET**

A Ballot Designation Worksheet must be completed and filed with the election's official **at the same time** the candidate files his/her Declaration of Candidacy. The statute mandates that no designation will appear under the candidate's name on the ballot if the candidate fails to file the required worksheet. EC §13107.3

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

#### **(1) ELECTIVE OFFICE**

EC §13107(a)(1), SOS Reg. §20712.

Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he/she was elected by vote of the people.

**Example 1:** An acceptable ballot designation for an assembly representative from the 33rd Assembly District, would be "Member of the Assembly, 33rd District."

**Example 2:** For local offices, a candidate who is currently in office as mayor may use the designation "Mayor, City of San Luis Obispo."

**Example 3:** Proposed ballot designations indicating a position of legislative leadership or leadership in another elected body, such as “Majority Leader of the California Senate,” “Speaker of the California State Assembly,” or “City of San Luis Obispo Mayor Pro Tem” are not elective offices and therefore not allowed. However, they may, subject to the three-word limit, be considered as an occupation – see (4) below.

## **(2) INCUMBENT**

EC §13107(a)(2), SOS Reg. §20713

The word “Incumbent” may be used if the candidate is a candidate for the same office which he/she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior or municipal court judge, was appointed to that office.

- The term “Incumbent” must be used as a noun. It shall not be used in conjunction with any other words, including any accompanying adjectives or modifiers. For example, “Incumbent Assembly Member, 33rd Assembly District” or “Incumbent City Councilmember” would be impermissible designations.
- Incumbent cannot be combined with any other designation and must stand alone. For example: Incumbent/Rancher is not permissible.

## **(3) APPOINTED INCUMBENT**

EC §13107(a)(4), SOS Reg. §20715

The phrase “Appointed Incumbent” may be used if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, 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.”

- If an incumbent was appointed in lieu of an election because the number of candidates did not exceed the number required to be elected at the last election for that office, the candidate is not required to use “appointed”.

## **(4) 3-WORD PROFESSION/OCCUPATION/VOCATION**

EC §13107 (a)(3), SOS Reg. §20714

No more than three words designating either the current principal professions, vocations, and/or occupations of the candidate, or the principal professions, vocations, and/or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents.

Definitions of some of the above terms as they are used in EC §13107(a)(3), are defined as follows:

**“Profession”** means a field of employment requiring special education or skill and requiring knowledge of a particular discipline. Examples of an acceptable designation of a “profession,” as defined in this subdivision, include, but are not limited to, “attorney,” “physician,” “accountant,” “architect,” and “teacher.”

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

**“Vocation”** means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his or her livelihood and spends a major portion of his or her time. Examples of an acceptable designation of a “vocation,” as defined in this subdivision include, but are not limited to, “minister,” “priest,” “mother,” “father,” “parent,” “homemaker,” “dependent care provider,” “carpenter,” “plumber,” “electrician,” and “cabinetmaker.”

**“Principal”** as that term is used in this subdivision, means a substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. Involvement that is only nominal, pro forma, or titular in character does not meet the requirements of the statute.

- If a candidate holds a current and active license from the State of California to engage in a profession, vocation or occupation, the candidate is entitled to consider it one of his/her **“principal”** professions, vocations or occupations.
- A candidate may not claim such profession, vocation or occupation as one of his or her **“principal”** professions, vocations or occupations if (i) the candidate’s licensure status is “inactive” at the time the candidate files his or her nomination document, or (ii) the candidate’s license has been suspended or revoked by the agency issuing the license at the time the candidate files his or her nomination documents.
- A candidate may designate **multiple principal professions**, vocations and/or occupations. If more than one profession, vocation or occupation is listed, it shall be separated by a slash (“/”). **Example:** An Assembly representative who

happens to be a lawyer and rancher can use the designation "Legislator/Lawyer/Rancher".

- If a candidate proposes a ballot designation including multiple principal professions, vocations or occupations, the proposed ballot designation must comply with the following: Each such proposed profession, vocation or occupation must independently qualify as a "**principal**" profession, vocation or occupation, as that term is defined above.

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

1. A charitable, educational, or religious organization as defined by the United States Internal Revenue Code §501(c)(3);
2. A governmental agency; or
3. An educational institution.

The activity or service must constitute substantial involvement of the candidate's time and effort such that the activity or service is the sole, primary, main or leading professional, vocational or occupational endeavor of the candidate, who is not engaged concurrently in another principal profession, vocation or occupation. Community Volunteer cannot be used in conjunction with any other Profession, Occupation or Vocation.

#### **OTHER RULES**

- The proposed ballot designation shall be grammatically correct, generic, and all words must be spelled correctly.
- Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
- Punctuation shall be limited to the use of a comma (e.g. District Attorney, San Luis Obispo County) and a slash (e.g. Legislator/Rancher/Physician). A hyphen may be used if, and only if, the use of a hyphen is called for in the spelling of a word as it appears in a standard reference dictionary of the English language published in the ten calendar years preceding the election.
- All California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. The names of special



districts and political subdivisions are not “geographical names.” If the candidate desires, the geographical name may be used in the form of “City of.....” “County of.....,” or “...County.”

- An acronym shall be counted as one word.
- A ballot designation may not comprise or include commercial identification information such as a trademark, service mark, trade name, or the specific name of a business, partnership, corporation, company, foundation, or organization.
- Examples of an improper use of commercial identification information include, but are not limited to, “Acme Company President,” “Smith Foundation Director,” and “UCLA Professor.”
- 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”.

#### **DESIGNATIONS NOT ACCEPTED**

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

- It would **mislead** the voter.
- It would **suggest an evaluation** of a candidate: A laudatory adjective that would suggest an evaluation of the candidate’s qualifications shall not be permitted. Examples of ballot designations usually considered to suggest an evaluation of a candidate, may include but are not limited to, “outstanding”, “leading”, “expert”, “virtuous”, “eminent”, “senior,” “emeritus,” “specialist,” “magnate,” “best,” “famous,” “respected,” “honest,” and “prominent.”
- It would suggest a **Status**: A status is a state, condition, social position or legal relation of the candidate to another person, persons, or the community as a whole. Examples of a status include, but are not limited to, “veteran,” “proponent,” “reformer,” “scholar,” “founder,” “philosopher,” “philanthropist,” “activist,” “taxpayer,” “husband,” “wife,” “patriot”, “citizen”, “appointee” and “advocate.”
- It abbreviates the word “**retired**” or places it following any word or words that it modifies.
  - Examples “Ret. Army General,” “Navy Admiral, Retired” and “City Attorney,

Retired" are not permissible

- Generally, a **retired** status may be allowed if the candidate can demonstrate retirement. The following are examples of evidence supporting retired status:
  - Served in the position being requested to be listed as retired from for more than 5 years;
  - Is collecting or eligible to collect retirement benefits/pension;
  - Is 55 or more years old;
  - Left the position voluntarily after serving a minimum of 5 years;
  - If requesting the use of a retired public office designation, was not recalled from or did not fail to win that office or surrender it to run for another office in a previous election campaign;
  - Has not had another more recent occupation;
  - Retirement benefits are providing a principal source of income.
- 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."
  - Examples: "Former Congressman," "Ex-Senator," and "Former Educator" are not permissible
- Retired cannot be used in conjunction with another principal profession, occupation or vocation.
  - Example: Retired Educator/Salesperson is not permissible.
- It uses the name of any **political party**, whether or not it has qualified for the ballot.
  - Example: "Democratic Party Chair", "Republican Central Committee member", and "Socialist" are not permissible.
- It uses a word or words referring to a **racial, religious, or ethnic** group.
  - Examples: "Indian Sculptor," "Latino Notary," "African-American Firefighter," "Christian Physician," and "Caucasian Policeman" are not permissible.
  - If the candidate is a member of the clergy, the candidate may not make reference to his or her specific denomination. However, the candidate may use his or her clerical title as a ballot designation: for example, "Rabbi," "Pastor," "Minister," "Priest," "Bishop," "Deacon," "Monk," and "Nun."

- It refers to any activity **prohibited by law**.

### **DESIGNATION REJECTED**

If upon checking the ballot designation worksheet and accompanying nomination documents, the election official finds the designation to be in violation of any of the restrictions set forth in this section, the candidate shall be notified by registered or certified mail, return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents. We will also email the candidate.

**It is important for the candidate to include a correct telephone number, facsimile number (if available), email, and mailing address on the ballot designation worksheet in order to expedite communication in the event the ballot designation is rejected.**

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

### **FORMAT, CHANGES, ETC.**

1. No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the election official.
2. The designation shall remain the same for all purposes of both Primary and General Election, 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.
3. In all cases, words shall be printed on the ballot in 8-point Roman uppercase and lowercase type **except** that, if the designation selected is so long that it would conflict with the space requirements of EC §13207 and §13211, the election official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.

# Ballot Designation Worksheet Sample

This entire form **must be completed**, or it will not be accepted and you will **not** be entitled to a ballot designation. **DO NOT LEAVE ANY RESPONSE SPACES BLANK**. If information requested is not applicable, please write "N/A" in the space provided, otherwise the information **MUST** be provided. **UPON FILING, THIS WORKSHEET WILL BE A PUBLIC RECORD.**

## Candidate Information

1

Candidate Name: \_\_\_\_\_ Gender (optional, for translation use only): \_\_\_\_\_  
Office: \_\_\_\_\_ Email: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Phone Number(s)  
Business: \_\_\_\_\_ Home/Mobile: \_\_\_\_\_ Fax: \_\_\_\_\_

## Attorney Information

2

Attorney Name (or other person authorized to act on your behalf): \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number(s)  
Business: \_\_\_\_\_ Mobile: \_\_\_\_\_ Fax: \_\_\_\_\_

You may select as your ballot designation one of the following designations:

- (a) Your current principal profession(s), vocation(s), or occupation(s) [maximum total of three words, separated by a slash ("/")].
- (b) The full title of the public office you currently occupy and to which you were elected.
- (c) "Appointed [full title of public office]" if you currently serve by appointment in an elective public office and are seeking election to the same office or to some other office.
- (d) "Incumbent" if you were elected (or, if you are a Superior Court Judge, you are a candidate for the same office that you hold) to your current public office and seek election to the same office.
- (e) "Appointed Incumbent" if you were appointed to your current elective public office and seek election to the same office.

## Proposed Ballot Designation(s)

3

Proposed Ballot Designation(s): \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Alternate Ballot Designation(s) 1: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Alternate Ballot Designation(s) 2: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

In the spaces provided on the next page(s):

- (a) Describe why you believe you are entitled to use the proposed ballot designation.
- (b) If your proposed ballot designation contains one or more slashes ("/") separating words in your ballot designation for separate principal profession(s), vocation(s), or occupation(s) (collectively known as "PVOs"), complete a justification section for each separate PVO.
- (c) Attach any documents or exhibits that you believe support your proposed ballot designation.
- (d) If using the title of an elective office, attach a copy of your certificate of election or appointment.
- (e) Any supporting documents will not be returned to you. **Do not submit originals**

**It is your responsibility to justify your proposed ballot designation and to provide all requested details.**

If your proposed ballot designation includes the word "volunteer," indicate the title of your volunteer position and the name of the entity for which you volunteer along with a brief description of the type of volunteer work you do and the approximate amount of time involved. You may only use the ballot designation "community volunteer" if you volunteer for a 501(c)(3) charitable, educational, or religious organization, a governmental

agency or an educational institution. You may not use "community volunteer" together with another designation.

If your proposed ballot designation contains **one or more slashes ("/)** separating multiple principal profession(s), vocation(s), or occupation(s) (collectively known as "PVOs"), **complete a justification section for each separate PVO.**

**Justification for use of Proposed Ballot Designation(s)**  
If you are proposing alternate ballot designations, please provide justification for use of those on Page 3.

4

<b>Justification for use of 1<sup>st</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:
<b>Justification for use of 2<sup>nd</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:
<b>Justification for use of 3<sup>rd</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:

**Before signing below, answer/initial the following questions. Does your proposed ballot designation:**

- |   |   |
|---|---|
| 1) Use only a portion of the title of your current elected office?  | <input type="checkbox"/> Yes <input type="checkbox"/> No Initial_____ |
| 2) Non-judicial candidates: Use only the word "Incumbent" for an elective office to which you were appointed?                   | <input type="checkbox"/> Yes <input type="checkbox"/> No Initial_____ |
| 3) Use more than three total words for your principal professions, vocations, or occupations?                                   | <input type="checkbox"/> Yes <input type="checkbox"/> No Initial_____ |
| 4) Suggest an evaluation of you, such as outstanding, leading, expert, virtuous, or eminent?                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No Initial_____ |
| 5) Refer to a status (Veteran, Activist, Founder, Scholar), rather than a profession, vocation, or occupations?                 | <input type="checkbox"/> Yes <input type="checkbox"/> No Initial_____ |
| 6) Abbreviate the word "retired"?   | <input type="checkbox"/> Yes <input type="checkbox"/> No Initial_____ |
| 7) Place the word "retired" after the words it modifies? Example: Accountant, retired   | <input type="checkbox"/> Yes <input type="checkbox"/> No Initial_____ |
| 8) Use an word or prefix (except "retired") such as "former" or "ex-" to refer to a former profession, vocation, or occupation? | <input type="checkbox"/> Yes <input type="checkbox"/> No Initial_____ |
| 9) Use the word "retired" along with a current profession, vocation, or occupation? Example: Retired Firefighter/Teacher        | <input type="checkbox"/> Yes <input type="checkbox"/> No Initial_____ |
| 10) Use the name of a political party or political body?  | <input type="checkbox"/> Yes <input type="checkbox"/> No Initial_____ |
| 11) Refer to a racial, religious, or ethnic group?  | <input type="checkbox"/> Yes <input type="checkbox"/> No Initial_____ |
| 12) Refer to any activity prohibited by law?  | <input type="checkbox"/> Yes <input type="checkbox"/> No Initial_____ |

**If the answer to any of these questions is "yes," your proposed ballot designation is likely to be rejected.**

<b>X</b>		
<b>Candidate's Signature</b>	<b>Date Signed:</b>	<b>Month      Day      Year</b>

For your reference, attached are [Elections Code sections 13107, 13107.3, and 13107.5](#), and [California Code of Regulations \(CCR\), title 2, section 20711](#). You also may wish to consult [CCR, title 2, sections, 20712-20719](#) (found at [www.sos.ca.gov](http://www.sos.ca.gov)).

**COMPLETE THIS PAGE ONLY IF** one or more **Alternate Ballot Designation(s)** are provided. If this page is not applicable, **please initial:**

Justification for  
Alternate Ballot  
Designation(s) 1

A

<b>Justification for use of 1<sup>st</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:
<b>Justification for use of 2<sup>nd</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:
<b>Justification for use of 3<sup>rd</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:

Justification for  
Alternate Ballot  
Designation(s) 2

B

<b>Justification for use of 1<sup>st</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:
<b>Justification for use of 2<sup>nd</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:
<b>Justification for use of 3<sup>rd</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:

**For your reference, the relevant provisions of Elections Code section 13107 are reproduced below:**

(a) With the exception of candidates for Justice of the State Supreme Court or court of appeal, immediately under the name of each candidate, and not separated from the name by any line, unless the designation made by the candidate pursuant to Section 8002.5 must be listed immediately below the name of the candidate pursuant to Section 13105, and in that case immediately under the designation, may appear at the option of the candidate only one of the following designations:

(1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people.

(2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people.

(3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents.

(4) The phrase "appointed incumbent" if the candidate holds an office by virtue of appointment, and the candidate is a candidate for election to the same office, or, 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 which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.

(b) (1) Except as specified in paragraph (2), for candidates for judicial office, immediately under the name of each candidate, and not separated from the name by any line, only one of the following designations may appear at the option of the candidate:

(A) Words designating the city, county, district, state, or federal office held by the candidate at the time of filing the nomination documents.

(B) The word "incumbent" if the candidate is a candidate for the same office that he or she holds at the time of filing the nomination papers.

(C) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents.

(2) For a candidate for judicial office who is an active member of the State Bar employed by a city, county, district, state, or by the United States, the designation shall appear as one of the following:

(A) Words designating the actual job title, as defined by statute, charter, or other governing instrument.

(B) One of the following ballot designations: "Attorney," "Attorney at Law," "Lawyer," or "Counselor at Law." The designations "Attorney" and "Lawyer" may be used in combination with one other current principal profession, vocation, or occupation of the candidate, or the principal profession, vocation, or occupation of the candidate during the calendar year immediately preceding the filing of nomination documents.

(3) A designation made pursuant to subparagraph (A) of paragraph (1) or paragraph (2) shall also contain relevant qualifiers, as follows:

(A) If the candidate is an official or employee of a city, the name of the city shall appear preceded by the words "City of."

(B) If the candidate is an official or employee of a county, the name of the county shall appear preceded by the words "County of."

(C) If the candidate is an official or employee of a city and county, the name of the city and county shall appear preceded by the words "City and County."

(D) If the candidate performs quasi-judicial functions for a governmental agency, the full name of the agency shall be included.

(c) A candidate for superior court judge who is an active member of the State Bar and practices law as one of his or her principal professions shall use one of the following ballot designations as his or her ballot designation: "Attorney," "Attorney at Law," "Lawyer," or "Counselor at Law." The designations "Attorney" and "Lawyer" may be used in combination with one other current principal profession, vocation, or occupation of the candidate, or the principal profession, vocation, or occupation of the candidate during the calendar year immediately preceding the filing of nomination documents.

(d) For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

(e) The Secretary of State and any other elections official shall not accept a designation of which any of the following would be true:

(1) It would mislead the voter.

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

(3) It abbreviates the word "retired" or places it following any word or words which it modifies.

(4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of 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 prohibited by law.

(f) 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.

(1) 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) or (b).

(2) If a candidate fails to provide a designation that complies with subdivision (a) or (b) within the three-day period specified in paragraph (1), a designation shall not appear after the candidate's name.

(g) A designation given by a candidate shall not be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (f) or as provided in subdivision (h). The elections official shall maintain a copy of the ballot designation worksheet for each candidate that appears on the ballot in the county for the same period of time as applied to nomination documents pursuant to Section 17100.

(h) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days before the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.

**For your reference, Elections Code section 13107.3 is reproduced below:**

(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.

**For your reference, Elections Code section 13107.5 is reproduced below:**

(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.

**For your reference, California Code of Regulations section 20711 is reproduced below:**

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

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



## FREQUENTLY ASKED QUESTIONS

### **CAN I FILE NOMINATION PAPERS FOR MORE THAN ONE OFFICE AT THE SAME ELECTION?**

Yes, with three exceptions:

1. **Primary Elections** - Elections Code §8003(b) prohibits filing nomination papers in the direct primary for a party nomination and an independent nomination for the same office, or for more than one office at the same election. This prohibition does not apply to a party central committee. (Moore vs. Parish - California Supreme Court)
2. **School District Elections** - Elections Code §10603(c)(d) prohibits a person from filing nomination papers for more than one district office, including a county board of education office, at the same election. Except, if there is a proposal to form a unified school district on the same ballot as the election of governing board members of that district, any candidate for a position on the existing governing board may also file nomination papers for a position on the governing board for the proposed district.
3. **District Offices**- Elections Code §10510(b) prohibits a person from filing nomination papers for more than one district office or term of office for the same district at the same election.

### **IF I AM ELECTED, CAN I HOLD MORE THAN ONE OFFICE AT THE SAME TIME?**

This is a legal question which the County Clerk-Recorder cannot answer. The County Clerk-Recorder cannot refuse to issue nomination papers unless it is prohibited as stated in the first question above. A person's legal right to hold more than one office at the same time is governed by common law doctrine of incompatible offices. Government Code §1099 was added January 1, 2006 to codify this common law rule. This new section states: a) that an officer shall not simultaneously hold two public offices that are incompatible, as defined, and 2) when two public offices are incompatible, a public officer shall be deemed to have forfeited the first office upon acceding to the second.

There are numerous court cases and attorney general opinions which address specific situations of incompatible offices. There is a list of case cites and copies of several of the opinions in the County Clerk-Recorder's Office that you may request; however, this is not an exhaustive list of all available information and you are advised to seek legal counsel to determine the incompatibility of the offices.