

Guidelines for Initiatives, Referendums, and Argument Submission for Countywide and District Measures



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Revised 6/14/24.

Preface

The goal of these guidelines is to provide general information on filing arguments for local measures and the initiative and referenda processes. These guidelines do not have the force of law, regulation, or rule. In case of conflict, the law, regulation, or rule will apply. Code references refer to the California Constitution (CA Const.), California Elections Code (EC), and California Government Code (GC). These guidelines are provided with the understanding that the County Clerk-Recorder's office staff is not rendering legal advice and cannot make a legal determination on the wording or sufficiency of your petition or text. Persons using these guidelines must bear full responsibility to make their own determinations as to all legal standards and duties. Code sections may change so please check each code for the current laws. For city measures, please contact your City Clerk.

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Definitions

Initiative: The power of the electors to propose a new ordinance and amendments to ordinances, and to adopt or reject such laws and amendments. (CA Const. Art. II, §8A)

Referendum: The power of the electors to approve or reject statutes or parts of statutes except urgency statutes, statutes calling elections, and statutes providing for tax levies or appropriations for usual current expenses of the State. (CA Const. Art. II, §9A)

Countywide Initiative Procedures

Notice of Intention

- Before circulating any initiative petition, the proponents shall file with the County Elections Official a Notice of Intention to do so. The notice shall include names and business, or residence addresses of at least one but not more than five proponents of the petition and shall be accompanied by the written text of the initiative and a request that a ballot title and summary be prepared. (EC §§9103, 9104)

Ballot Title and Summary

- After receipt of a Notice of Intention to circulate an initiative petition, the County Elections Official shall immediately transmit a copy of any proposed measure to the County Counsel. Within 15 days after the proposed measure is filed, the County Counsel shall provide and return to the County Elections Official a ballot title and summary of the proposed measure. (EC §9105(a))

Writ of Mandate

- Any elector of the County may seek a writ of mandate requiring the ballot title or summary prepared by County Counsel to be amended. A peremptory writ of mandate shall be issued only upon clear and convincing proof that the ballot title or summary is false, misleading, or inconsistent with the requirements of Section 9105. (EC §9106)

Publication of Notice of Intention

- After receipt from the County Counsel, the County Elections Official shall furnish a copy of the ballot title and summary to the proponents of the proposed measure. Prior to the circulation of the petition, the proponents shall publish the Notice of Intention, and the ballot title and summary of the proposed measure in a newspaper of general circulation published in San Luis Obispo County, and file proof of publication with the County Elections Official. (EC §9105(b))

Signed Statement of Proponent/Circulator

- The proponent(s) of a proposed initiative measure are required to ensure that any person, company, or other organization who solicits signatures to qualify the initiative measure, whether they are paid or volunteer, receives instruction on the requirements and prohibitions imposed by state law with respect to the circulation of petitions and the gathering of signatures. Such instructions must emphasize the prohibition of the use of signatures on an initiative petition for a purpose other than qualification of the proposed measure for the ballot. (EC §9607)

Form of Petition

- State law specifies the format for petitions. The County Elections Official will not accept petitions that do not conform to the law. Initiative proponents are responsible for the preparation and printing of petitions. (EC §§100, 100.5, 101, 104, 9101, 9105(c), 9108, 9109)
 - Each section of the petition must contain:
 1. Ballot Title and Summary
 2. Full Text of the Measure
 3. Notice of Intention and Statement of Reasons
 4. Signature Blocks
 5. Declaration of Circulator

Circulation and Filing of Petition

- The proponents may commence to circulate the petitions among the voters of the county for signatures by any registered voter of the county after publication of the title and summary prepared by the County Counsel. Each section of the petition shall bear a copy of the Notice of Intention, and the title and summary prepared by the County Counsel. (EC §9107)

Examination and Verification of Signatures

- Within 30 days from the date of filing, excluding Saturdays, Sundays, and holidays, the Elections Official shall examine the petition, and from the records of registration ascertain whether or not the petition is signed by the requisite number of voters. A certificate showing the results of this examination shall be attached to the petition. (EC §§9114, 9115)

Action by Governing Board

- If the initiative petition is signed by voters not less in number than 10 percent of the voters in the district, if the total number of registered voters is less than 500,000, or not less in number than 5 percent of the voters in the district, if the total number of registered voters is 500,000 or more, the district board shall do either of the following:

1. Adopt the ordinance, without alteration, either at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.
2. Submit the ordinance, without alteration, to the voters pursuant to Section 1405. (EC §9307)

Additional Information

- The proponent of an initiative may withdraw the initiative at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the Elections Official. (EC §9118.5)
 - If a majority of the voters voting on a proposed ordinance vote in its favor, the ordinance shall become a valid and binding ordinance of the County of San Luis Obispo. The ordinance shall be considered as adopted upon the date the vote is declared by the Board of Supervisors and shall go into effect 10 days after that date. (EC §9122)
 - If the provisions of two or more ordinances adopted at the same election conflict, the ordinance receiving the highest number of affirmative votes shall control. (EC §9123)
 - No ordinance proposed by initiative petition and adopted either by the Board of Supervisors without submission to the voters or adopted by the voters shall be repealed or amended except by a vote of the people, unless provision is otherwise made in the original ordinance. In all other respects, an ordinance proposed by initiative petition and adopted shall have the same force and effect as any ordinance adopted by the Board of Supervisors. (EC §9125)
-

District Initiative Procedures

Notice of Intention

- Before circulating an initiative petition in any district, the proponents of that measure shall publish a notice of intention. A printed statement stating the reasons for the proposed petition shall accompany the notice. The printed statement shall not exceed 500 words. The notice shall be signed by at least one, but not more than five, proponents and shall be substantially in the following form:
 - "Notice of Intention to Circulate Initiative Petition
 - Notice is hereby given of the intention of the persons whose names appear hereon of their intention to circulate the petition within the district for the purpose of. A statement of the reasons for the proposed actions as contemplated is as follows:" (EC §§9302, 9303)

Impartial Analysis

- Whenever a district measure is submitted to the voters, the District Elections Official shall transmit a copy of the measure to the County Counsel. The County Counsel shall prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the district. The analysis shall be printed preceding the arguments for and against the measure. The analysis shall not exceed 500 words in length. (EC §9313)

Filing of Notice and Statement

- Within 10 days after the date of publication or posting, or both, of the Notice of Intention and Statement of Reasons for the proposed petition, the proponents shall file with the District Elections Official a copy of the notice and statement as published or posted, or both, together with the written text of the initiative and an affidavit made by a representative of the newspaper in which the notice was published or, if the notice was posted, by a voter of the district certifying to the fact of posting must be included. (EC §9304)

Form of Petition

- State law specifies the format for petitions. The District Elections Official will not accept petitions that do not conform to the law. Several people, each carrying separate, identical parts of the petition called “sections”, may circulate the petition. Only a person who is a qualified registered voter at the time of signing the petition is entitled to sign it. A person who submits his or her affidavit of registration pursuant to subdivision (d) of Section 2102 is not eligible to sign a petition or paper unless at the time of signing he or she is 18 years of age. Each petition section shall be designed so that each signer can, as required by law, personally affix his or her:
 1. Signature
 2. Printed name
 3. Residence address, giving street and number. If no street or number exists, then adequate designation of the residence must be given so that the location may be readily determined.
 4. Name of incorporated city or unincorporated community. (EC §§100, 101, 9020, 9022, 9301)

Declaration of Circulator

- Each section of the petition or paper shall have attached to it a declaration signed by the circulator of the petition or paper setting forth, in the circulator’s own hand, the following:
 1. The printed name of the circulator.

2. The residence address of the circulator, giving street and number, or if no street or number exists, adequate designation of residence so that the location may be readily ascertained.
3. The dates between which all the signatures on that section were obtained.
4. That the circulator circulated that section and witnessed the appended signatures being written.
5. That according to the best information and belief of the circulator, each signature is the genuine signature of the person whose name it purports to be.
6. That the circulator is 18 years of age or older.
7. If the petition does not include the disclosure statement described by subdivision (b) of Section 107, that the circulator showed each signer a valid and unfalsified "Official Top Funders" sheet, as required by Section 107. (EC §§104, 9022, 9301, 9307)

Circulation of Petition

- After filing a copy of the Notice of Intention and Statement of Reasons for the proposed petition, written text of the initiative, and affidavit of publication or posting with the District Elections Official, the petition may be circulated among the voters of the district for signatures by any person who is a voter or who meets the requirements of Section 102. Each section of the petition shall bear a copy of the Notice of Intention and Statement of Reasons. (EC §9305)

Filing of Petition

- Signatures upon petitions and sections thereof shall be secured, and the petition, together with all sections, shall be filed within 180 days from the date of filing the materials specified in Section 9304 with the District Elections Official. If the petition and its sections are not filed within the time required, they will be void for all purposes. Each section of the petition shall have attached thereto the affidavit of the person soliciting the signatures. This affidavit shall be substantially in the same form as set forth in Section 9022. (EC §§9306, 9307)

Examination of Signatures

- Unless a random sampling technique is used, within 30 days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, the District Elections Official shall examine the petition, and from the records of registration ascertain whether the requisite number of voters signed the petition. The District Elections Official shall notify the proponents of the petition as to the sufficiency or insufficiency of the petition. (EC §§9308, 9309)

Action by Governing Board

- If the initiative petition is signed by voters not less in number than 10 percent of the voters in the district, where the total number of registered voters is less than 500,000,

or not less in number than 5 percent of the voters in the district, where the total number of registered voters is 500,000 or more, the district board shall do either of the following:

1. Adopt the ordinance, without alteration, either at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.
2. Submit the ordinance, without alteration, to the voters pursuant to Section 1405. (EC §9311)

Additional Information

- The proponent of an initiative may withdraw the initiative at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the District Elections Official. (EC §9311)
 - Whenever an ordinance is required by this article to be submitted to the voters of a district at an election, the District Elections Official shall cause the ordinance to be printed. A copy of the ordinance shall be made available to any voter upon request. The District Elections Official shall mail with the Voter Information Guide to each voter the following notice printed in no less than 10-point type: "If you desire a copy of the proposed ordinance, please call the District Elections Official's office at (insert telephone number) and a copy will be mailed at no cost to you." (EC §9312)
 - If a majority of the voters voting on a proposed ordinance vote in its favor, the ordinance shall become a valid and binding ordinance of the district. The ordinance shall be considered as adopted upon the date the vote is declared by the district board and shall go into effect 10 days after that date. (EC §9320)
 - No ordinance proposed by initiative petition and adopted either by the district board without submission to the voters or adopted by the voters shall be repealed or amended except by a vote of the people, unless provision is otherwise made in the original ordinance. In all other respects, an ordinance proposed by initiative petition and adopted shall have the same force and effect as any ordinance adopted by the board. (EC §9323)
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County Referendum Procedures

Submission by Board of Supervisors

- The Board of Supervisors may submit to the voters, without a petition, an ordinance for the repeal, amendment, or enactment of any ordinance. The ordinance shall be voted upon at any succeeding regular or special election and, if it receives a majority of the votes cast, the ordinance shall be repealed, amended, or enacted accordingly. (EC §9140)

Time Initial Ordinance Shall Take Effect

- Except as provided in EC §§9141, 9142, or 9143, an ordinance shall become effective 30 days from and after the date of final passage.

Petition Protesting Adoption of an Ordinance

- If a petition protesting the adoption of an ordinance is submitted to the County Elections Official before the effective date of the ordinance, the ordinance shall be suspended and the board of supervisors shall reconsider the ordinance. The petition shall be signed by voters of the county equal in number to at least 10 percent of the entire vote cast within the county for all candidates for Governor at the last gubernatorial election. (EC §9144)

Protest of Ordinance Submitted to Voters

- If the Board of Supervisors does not entirely repeal the ordinance, the Board shall submit the ordinance to the voters at the next regularly scheduled county election or at a special election called for that purpose. The election on the ordinance shall not be held less than 88 days from the date of the order. The ordinance shall not become effective unless a majority of those voters voting on it vote in favor of it. (EC §9145)
- The proponent of a referendum may withdraw the referendum at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official. (EC §9144.5)

Form of Petition

- The form of the petition, duties of the elections official, and the manner of holding elections shall be the same as those provided for initiative petitions. (EC §9146)

Heading of Referendum Measure

- The heading of a proposed referendum measure shall be in substantially the following form:
 - Referendum Against an Ordinance Passed by the Board of Supervisors
 - Each section of the referendum petitions shall contain the title and text of the ordinance or the portion of the ordinance which is the subject of the referendum. (EC §9147)
-

District Referendum Procedures

- The voters of any district that is a local public entity as defined by Section 900.4 of the Government Code, and to which Section 9300 applies, shall have the right to petition for referendum on legislative acts of the district in the same manner and subject to the same rules as are set forth in Sections 9140, 9141, 9142, 9143, 9144, 9145, 9146, and 9147, except that all computations referred to in those sections and officers of

the county mentioned in those sections shall be construed to refer to comparable computations and officers of the district.

General Information

- **County Charter:** Any proposal to enact, amend, or otherwise revise a County Charter by initiative petition may be submitted to the Board of Supervisors. The Board of Supervisors may not enact, amend, or otherwise revise a county charter without submitting the proposal to the voters. (EC §9102)
- **Conflicting Measures:** If the provisions of two or more ordinances adopted at the same election conflict, the ordinance receiving the highest number of affirmative votes shall control. (EC §9123)
- **Repeal of Ordinance:** No ordinance proposed by initiative petition and adopted either by the Board of Supervisors without submission to the voters or adopted by the voters, shall be repealed or amended except by a vote of the people, unless provision is otherwise made in the original ordinance. (EC §9125)
- **Preservation of Petition:** The Elections Official shall preserve the petition until eight months after the certification of the results of the election for which the petition qualified, or if the measure, for any reason, is not submitted to the voters, eight months after the final examination of the petition by the Elections Official. Thereafter, the petition shall be destroyed as soon as practicable, unless it is in evidence in a pending legal action. (EC §17200)
- **Not a Public Record:** Once filed, an initiative petition and all memoranda prepared by the County Elections Official in the examination of the petition indicating which registered voters have signed particular petitions shall not be deemed to be public records and shall not be open to inspection except by the public officer or public employees who have the duty of receiving, examining, or preserving the petitions or who are responsible for the preparation of that memoranda and, if the petition is found to be insufficient, by the proponents of the petition and the representatives of the proponents as may be designated by the proponents in writing in order to determine which signatures were disqualified and the reasons therefor. (GC §6253.5)
- **Campaign Reports:** Committees formed to support or oppose the qualification of initiative measures may have campaign finance reporting obligations under the Political Reform Act of 1974. Please refer to the Fair Political Practices Commission (FPPC) Manual 3 concerning Ballot Measure Committees or contact the FPPC at (866) 275-3772. (GC §82013, 84200 - 84225)
- **Prohibitions:** A petition may not be circulated within 100 feet of a polling place, a satellite location, or an Election Official's office on the day of any election. (EC §18370(a)) Petition signatures may be used for no purpose other than qualifying the measure for the ballot. (EC §18650)

Impartial Analysis

- The County Counsel shall prepare an impartial analysis of any county, special district, or school district measure showing the effect of the measure on the existing law and the operation of the measure. The analysis will be printed in the Sample Ballot/Voter Information Pamphlet preceding the arguments for and against the measure. (EC §§9160, 9313, 9500)
- The Impartial Analysis shall not exceed 500 words. (EC §§9160, 9313, 9500)

Fiscal Impact Statement

- The County Auditor may be requested by the Board of Supervisors no later than 88 days prior to an election to prepare a fiscal impact statement which estimates the amount of any increase or decrease in revenues or costs to the county if the proposed measure is adopted. The Fiscal Impact Statement shall be printed preceding the arguments for and against the measure. (EC §9160)
- The Fiscal Impact Statement shall not exceed 500 words. (EC §9160)

Tax Rate Statement

- Each bond measure proposed by a county, district, or other political subdivision, or by any agency, department, or board thereof, the security of which constitutes a lien on the property for ad valorem taxes within the jurisdiction shall have a tax rate statement mailed to the voters in the Sample Ballot/Voter Information Pamphlet. (EC §§9400, 9401)

Order of Appearance in the Voter Information Guide

- Arguments, rebuttals, and analyses are printed in the Sample Ballot/Voter Information Guide and are mailed to all registered voters in the jurisdiction eligible to vote for the particular measure. The arguments will appear in the following order:
 1. Impartial Analysis
 2. Fiscal Impact Statement or Tax Rate Statement
 3. Argument In Favor Of
 4. Rebuttal to Argument In Favor Of
 5. Argument Against
 6. Rebuttal to Argument Against

Lettering of Measures

- Letters designating local measures will be assigned by the elections official. (EC §13116) Letters will be assigned to measures followed by the year in which the measure is on the ballot in alphabetical order beginning with the letter following the last letter assigned in the previous election (within the calendar year). The lettering will start over with the letter "A" at the beginning of each calendar year and continue through the alphabet until the end of that calendar year. (A-16, B-16, etc.)

- For districts that overlap into other counties, the elections officials of those counties may mutually agree to use a letter designation for the measure that will not conflict or confuse the voter.
- Measures will appear on the ballot in the following order (EC §13109):
 1. Schools
 2. County
 3. Cities
 4. Districts

Guidelines for Filing Arguments for Local Measures

Who Can File and Sign Arguments

Who Can File?

- The Board of Supervisors, the governing board of a school district, or any member or members of these boards authorized by the board or any individual voter who is eligible to vote on the measure or bona fide association of citizens or any combination of these voters and associations may file a written argument for or against any county or school district measure. (EC §§9120, 9162, 9282, 9501)
- The persons filing a district initiative petition may file an argument in favor of the ordinance. The district board may submit an argument against the ordinance. (EC §9315)
- The governing board of the district may refer legislative questions to the voters of the district. (EC §9342)

Who Can Sign?

- The filer of an argument does not have to be a signer of that argument.
- Ballot arguments must be accompanied by the printed name(s) and signature(s) of the person(s) submitting it or if submitted on behalf of an organization the name of the organization and the printed name and signature of at least one of its principal officers. No more than five signatures shall appear with any argument submitted. If there are more than five signatures only the first five will be printed. (EC §§9164, 9501.5)
- If more than one argument for or more than one argument against the measure is submitted the county elections official shall select one of the arguments in favor and one of the arguments against the measure for printing and distribution to the voters. In selecting the argument the elections official shall give preference and priority in the order named to the arguments of the following: (EC §§9166, 9503)
 1. The Board of Supervisors or governing board or member or members of the board authorized by the board; or

2. The individual voter or bona fide association of citizens or combination of voters and associations who are bona fide sponsors or proponents of the measure; or
 3. Bona fide association of citizens; or
 4. Individual voters who are eligible to vote on the measure.
- Arguments shall not exceed 300 words. (EC §§9162, 9315, 9501)

Signature Statement

- Each argument and rebuttal must be accompanied by the Signature Statement included in this guide and signed by each proponent and by each author if different from the argument. (EC §9600)
- The proponent of a measure is the person or persons who submit the Notice of Intention with a request that a Ballot Title and Summary be prepared. (EC §9103)
- Authors of arguments do not necessarily have to be the proponents.

How to Write the Argument

- Be accurate. The argument will be printed as submitted. Spelling, punctuation, and grammatical errors will not be corrected by the Elections staff.
- Type your argument and format it in block paragraph style with extra space between paragraphs.
- The argument must be written to address a single measure on the ballot. Combined statements pertaining to more than one measure will not be accepted.
- All arguments must be accompanied by the Signature Statement. (EC §9600)
- No more than five signatures shall appear with any argument. If more than five are submitted, only the first five will be printed. (EC §§9164, 9501.5)
- Do not use profanity or other objectionable language.
- The heading is standardized. Subheadings and deviations from the standardized heading will not be accepted.

Word Counting Guidelines

- Counting of words for purposes of this code shall be as follows (EC §9(a)):
 - Punctuation is not counted.
 - Each word shall be counted as one word except as specified.
 - All proper nouns, including geographical names, shall be considered as one word - City of San Luis Obispo.
 - Each abbreviation for a word, phrase, or expression shall be counted as one word - UCLA, PTA, USMC.
 - Hyphenated words that appear in any generally available standard reference dictionary shall be considered one word. Each part of all other hyphenated words shall be counted as a separate word. (Dictionary published in the US at any time within the 10 calendar years immediately preceding the election for which the words are counted.)

- Dates shall be counted as one word.
- Numbers consisting of a digit or digits shall be considered one word - 1, 100, 100000. Any number which is spelled will be counted as a separate word or words - one (one word), one hundred (two words), one hundred thousand (three words). (A digit or digits used with a % sign, a # sign, or a \$ sign are counted as one word).
- Telephone numbers shall be counted as one word.
- Internet Web site addresses shall be counted as one word.

Timelines for Filing Arguments

- Based on the time reasonably necessary to prepare and print the arguments, analysis, and sample ballots, and to permit the 10-calendar-day public examination period for the particular election, the county elections official shall fix and determine a reasonable date prior to the election after which no arguments for or against the measure may be submitted for printing and distribution to the voters. This is a generic calendar for use by the county, districts, and cities for placing a measure on the ballot. If a governing body orders an election for a measure at an earlier date than the deadline set by the elections official, the deadlines for the arguments may be different from the generic calendar.
- Notice of the date fixed shall be published by the county elections official for each measure placed on the ballot.
- Arguments may be changed until and including the date fixed by the county elections official.

Public Examination Period

- Not less than 10 calendar days before the elections official submits the official election materials for printing, a copy of such materials shall be available for public examination in the election official's office. Any person may obtain a copy of the materials for use outside of the office for a fee of \$.10 per page.

During the 10-calendar-day examination period, any voter of the jurisdiction in which the election is being held may seek a writ of mandate or an injunction requiring any or all of the materials to be amended or deleted. A preemptory writ of mandate or an injunction shall be issued only upon clear and convincing proof that the material in question is false, misleading, or inconsistent and that the issuance of the writ or injunction will not substantially interfere with the printing or distribution of official election materials as provided by law.

Rebuttal Arguments

- When the arguments for and against the measure have been selected, the elections official shall send copies of the argument in favor to the authors of the argument against the measure and copies of the argument against to the authors of the

argument in favor of the measure. The authors may prepare and submit rebuttal arguments. The authors may authorize in writing any other person(s) to prepare and sign the rebuttal argument (Authorization Form attached). This authorization should be filed with the rebuttal argument. (EC §§9069, 9167, 9504)

- The persons filing the district initiative petition may prepare and submit a rebuttal to the argument against the ordinance. The district board may prepare and submit a rebuttal to the argument in favor. (EC §9317)
- Rebuttal arguments shall not exceed 250 words. (EC §§9167, 9317, 9504)

APPENDIX A - SAMPLE NOTICE OF INTENTION TO CIRCULATE A COUNTYWIDE INITIATIVE PETITION

Notice of Intention to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the County of San Luis Obispo for the purpose of _____.

A statement of the reasons for the proposed action as contemplated in the petition is as follows:

Insert the Statement of Reasons for this petition here - up to 500 words (Optional).

The undersigned proponents of this initiative petition hereby request that a ballot title and summary be prepared by County Counsel in accordance with Elections Code Section 9103 and that said ballot title and summary be furnished to the undersigned for publication in accordance with Elections Code Section 9105(b).

(The Notice of Intention shall contain at least one but not more than five proponents.)

Printed Name _____ Signature _____

Residence or Business Address (City, State, Zip)

Printed Name _____ Signature _____

Residence or Business Address (City, State, Zip)

Printed Name _____ Signature _____

Residence or Business Address (City, State, Zip)

Printed Name _____ Signature _____

Residence or Business Address (City, State, Zip)

Printed Name _____ Signature _____

Residence or Business Address (City, State, Zip)

FILING FEE: \$5.00

APPENDIX B - SAMPLE – COUNTY PETITION FORM (*Including Official Top Funders section. This section may be omitted if a copy of the “Official Top Funders” sheet is provided pursuant Election Code Section 107(b)(1). **You must leave a 1" margin at the top of the petition. It is highly recommended that you leave a ½" margin on the left, right and bottom of the petition sections.**

The heading of the proposed measure shall be in a boldface type in substantially the following form:

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS (11-point or larger Roman boldface type)

The county counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the county counsel. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

INSERT BALLOT TITLE AND SUMMARY PREPARED BY THE COUNTY COUNSEL (EC 9105(c))

The ballot title and summary shall be clearly separated from the text of the measure.

INSERT THE FULL TEXT OF THE MEASURE (EC §9014)

The text of the measure shall be printed in type not smaller than 8-point; it must be clearly separated from the ballot title and summary above.

INSERT NOTICE OF INTENTION TO CIRCULATE AND 500 WORD STATEMENT OF REASONS

*OFFICIAL TOP FUNDERS (if applicable).

“NOTICE TO THE PUBLIC” (11-point type) (EC §101)

**THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER.
YOU HAVE THE RIGHT TO ASK.**

	NAME	RESIDENCE ADDRESS	FOR OFFICIAL USE ONLY
1.			
	Print Name	(Residence Address ONLY)	
	Signature	City	
2.			
	Print Name	Residence Address ONLY	
	Signature	City	

APPENDIX C - SAMPLE - DECLARATION OF PERSON CIRCULATING PETITION SECTION

(To be completed after above signatures have been obtained, in circulator's own hand EC §102, 104)

**DECLARATION OF PERSON CIRCULATING SECTION OF INITIATIVE PETITION
(MUST BE IN CIRCULATOR'S OWN HANDWRITING) (Completed after above signatures have been obtained.)**

I _____ Declare:

(Print name)

1. My residence address is _____ in San Luis Obispo County, California
and I am a voter or qualified to vote in (insert electoral jurisdiction).

2. I personally circulated the attached petition for signing.

3. I witnessed each of the appended signatures being written on the petition and to my best
information

and belief, each signature is the genuine signature of the person whose name it purports to be; and

4. The appended signatures were obtained between the dates of _____ and _____ inclusive.
(starting date) (ending date)

5. *I showed each signer a valid and unfalsified "Official Top Funders" sheet, as required by Elections
Code Section 107.

I certify, under penalty of perjury under the laws of the State of California, that the content of the
declaration as to its truth and correctness.

Executed on _____, 20__ at _____, California.
(month and day) (city where signed)

(Signature of Petition Circulator - First Name, Middle Name or Initial, Last Name)

APPENDIX D - SAMPLE COUNTYWIDE INITIATIVE PROCESS TIMELINE

*Election Official **Proponent ***Board of Supervisors, voter, organization A= Action F= Filing

PROCEDURE	Filing or Action
Notice of Intent to Circulate Petition to be accompanied by: Text of Initiative - Including Full Text of Ordinance. Request for preparation of Ballot Title & Summary. Deposit (EC 9103)	F **
Transmit copy of Notice of Intention, Initiative Text and Request for Title and Summary to County Counsel. (EC 9105)	A *
Ballot Title and Summary due from County Counsel (15 days from filing of Notice of Intention.)	F *
Copy of Ballot Title and Summary sent to proponent.	A *
Publish Notice of Intention and Ballot Title and Summary. (EC 9105)	A **
Begin circulating petition. (EC 9108)	A **
File Proof of Publication and two blank copies of petition with Elections Official.	F **
Board of Supervisors may refer proposed initiative to any County Agency for a report on fiscal impact. (EC 9111)	A ***
Last day for proponents to file petition with Elections Official - 180 days from the date of receipt of the Title and Summary. (EC 9110)	F **
Determine total number of signatures (raw count) on petition. If signatures equal or exceeds minimum number required, proceed with verification. Less than minimum number required, take no further action. (EC 9113)	A *
Within 30 days of filing of petition notify proponent of sufficiency or insufficiency. (EC 9114, 9115)	A *
If sufficient, certify results to the Board of Supervisors at their next regular meeting. (EC 9114, 9115) If insufficient, no further action shall be taken.	A *
Submit qualified measure to County Counsel to prepare the Impartial Analysis and to the County Auditor to prepare the Fiscal Impact Statement, if so directed by the Board of Supervisors. (EC 9160)	A *
Fix and publish dates for submission of arguments.	A *

PROCEDURE	Filing or Action
(EC 9163, 9601)	
Primary Argument in Favor - Author's Statement Due Primary Argument Against - Author's Statement Due (EC 9162, 9600)	F ** F ***
Impartial Analysis Due	F *
Fiscal Impact Statement Due (If applicable)	F *
Send copies of arguments to opposing authors for preparation of Rebuttals. (EC 9167, 9600)	A *
Public Examination Period Begins for Primary Arguments, Impartial Analysis, Fiscal Impact Statement (EC 9380)	A *
Public Examination Period Ends for Primary Arguments, Impartial Analysis, Fiscal Impact Statement (EC 9380)	A *
Rebuttal to Argument in Favor - Author's Statement Due Rebuttal to Argument Against - Author's Statement Due	F *** F **
Public Examination Period Begins for Rebuttal Arguments	A *
Public Examination Period Ends for Rebuttals Arguments	A *

APPENDIX E – SAMPLE NOTICE OF INTENT TO CIRCULATE DISTRICT PETITION

Notice is hereby given of the intention of the persons whose names appear hereon of their intention to circulate the petition within the _____ District for the purpose of qualifying for the ballot an initiative measure entitled _____.

A statement of the reasons of the proposed action as contemplated in the petition is as follows:

(Insert **REQUIRED** Statement of Reasons for initiative not to exceed 500 words)

(The Notice of Intention shall contain at least one but not more than five proponents.)

Printed Name _____ Signature _____

Residence or Business Address (City, State, Zip)

Printed Name _____ Signature _____

Residence or Business Address (City, State, Zip)

Printed Name _____ Signature _____

Residence or Business Address (City, State, Zip)

Printed Name _____ Signature _____

Residence or Business Address (City, State, Zip)

Printed Name _____ Signature _____

Residence or Business Address (City, State, Zip)

FILING FEE: \$5.00

NOTE: The Notice of Intention must include the Statement of Reasons and be accompanied by a Statement of Acknowledgement.

APPENDIX F – SAMPLE DISTRICT PETITION FORM

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

(INSERT NAME OF DISTRICT)

Notice of Intention to Circulate Petition

Notice is hereby given of the intention of the persons whose names appear hereon of their intention to circulate the petition within _____ District for the purpose of **(insert purpose of measure)**. A statement of the reasons of **the proposed action as contemplated in the petition is as follows:**

(INSERT REQUIRED STATEMENT OF REASONS NOT TO EXCEED 500 WORDS)

NOTICE TO THE PUBLIC

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK. THE USE OF YOUR SIGNATURE FOR ANY OTHER PURPOSE OTHER THAN QUALIFICATION OF THIS MEASURE FOR THE BALLOT IS A MISDEMEANOR.

	NAME	RESIDENCE ADDRESS	FOR OFFICIAL USE ONLY	
1.				
	Print Name	(Residence Address ONLY)		
	Signature	City		
2.				
	Print Name	Residence Address ONLY		
	Signature	City		

DECLARATION OF PERSON CIRCULATING SECTION OF INITIATIVE PETITION

(MUST BE IN CIRCULATOR'S OWN HANDWRITING) (Completed after above signatures have been obtained.)

I _____ Declare:

(print name)

1. My residence address is _____ in San Luis Obispo County, California

and I am a voter or qualified to vote in (insert electoral jurisdiction);

2. I personally circulated the attached petition for signing.

3. I witnessed each of the appended signatures being written on the petition and to my best information and belief, each signature is the genuine signature of the person whose name it purports to be; and

4. The appended signatures were obtained between the dates of _____ and _____ inclusive.

(starting date) (ending date)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, 20____ at _____, California.

(month and day)

(city where signed)

(signature of circulator)

You must leave a 1" margin at the top of the petition. It is highly recommended that you leave a ½" margin on the left, right and bottom of the petition sections.

APPENDIX G - SAMPLE DISTRICT INITIATIVE PROCESS TIMELINE

*Election Official **Proponent ***Board of Supervisors, voter, organization A= Action F= Filing

PROCEDURE	Filing or Action
Publication and/or Posting of Notice of intention. (EC9302- 9303)	A**
File Notice of Intent to Circulate Petition accompanied by: (EC9304) Text of Initiative - Including Full Text of Ordinance Proof of Publication/Posting	A**
Begin circulating petition. (EC 9305)	A**
Deadline for Filing petition (EC9306) (within 180 days of filing notice of intent)	A*
Determine total number of signatures (raw count) on petition. Less than minimum number required, take no further action. (EC 9308)	A*
Examination of signatures (EC9308) (filing of petition + 30 working days)	A*
Within 30 days of filing of petition notify proponent of sufficiency or insufficiency. (EC 9308)	A*
If insufficient, no further action shall be taken. If sufficient, certify results to the District Board at their next regular meeting. (EC 9308)	A*
Submit qualified measure to County Counsel. County Counsel shall prepare the Impartial Analysis (500 words). (EC 9313)	A*
Fix and publish dates for submission of arguments. (EC 9316) Last day to withdraw or change arguments	A*
Arguments filed - 300 words. (EC 9315) Argument in Favor - Author's Statement Argument Against - Author's Statement	F** F***
Public Examination Period Begins	A*
Public Examination Period Ends	A*
Send copies of arguments to opposing authors for preparation of Rebuttals - 250 words. (EC 9317)	A*
Rebuttal to Argument in Favor - Author's Statement Rebuttal to Argument Against - Author's Statement	F*** F**
Public Examination Period Begins (10 days)	A*
Public Examination Period Ends	A*
Impartial Analysis	F*
Public Examination Period Begins	A*
Public Examination Period Ends	A*

APPENDIX H – PROPONENT STATEMENT OF ACKNOWLEDGEMENT

FORM OF STATEMENT TO BE FILED BY AUTHOR(S) OF PRIMARY ARGUMENTS AND REBUTTALS (§9164, 9167 & 9600)

All arguments concerning measures filed pursuant to Division 9, Chapter 2 (beginning with § 9100) of the Elections Code shall be accompanied by the following form statement **to be signed** by each proponent/author, if different, of the argument:

The undersigned proponent(s) or author(s) of the Argument/Rebuttal ☐ **In Favor** or ☐ **Against Measure__** for the (Insert Name of Jurisdiction – County of San Luis Obispo, Special District Name, School District Name) at the (Insert Type of Election - Primary, General, Special) Election to be held on (Insert Election Date), hereby state that the argument is true and correct to the best of (his/her/their) knowledge and belief.

Print Name _____ Title _____	Signature _____ Date _____
Print Name _____ Title _____	Signature _____ Date _____
Print Name _____ Title _____	Signature _____ Date _____
Print Name _____ Title _____	Signature _____ Date _____
Print Name _____ Title _____	Signature _____ Date _____

ARGUMENT/REBUTTAL FILED BY (check any of the following that apply) This information will be provided on the County Clerk/Elections Website:

☐ **Board of Supervisors or Governing Board**
Contact Person's Printed Name: _____
Contact Person's Signature: _____
Title: _____
Phone: _____ FAX: _____
E-Mail: _____

☐ **Bona Fide Association of Citizens or Filers of Special District Initiative**
Name of Association: _____
Principal Officer's Printed Name: _____
Principal Officer's Signature: _____
Title: _____
Phone: _____ FAX: _____
E-Mail: _____

Attach list of officers if document relates to a school district measure.

☐ **Individual voter who is eligible to vote on the measure:**
Printed Name: _____
Signature of Voter: _____
Address Where You Live: _____
Phone: _____ FAX: _____
E-Mail: _____

APPENDIX I – AUTHORIZATION FOR ANOTHER PERSON TO SIGN REBUTTAL ARGUMENT

AUTHORIZATION FOR ANOTHER PERSON TO SIGN REBUTTAL ARGUMENT

The following author(s) of the Argument ☐ **In Favor** or ☐ **Against Measure**__ authorize the following person(s) to prepare, submit or sign the Rebuttal to the **Argument** ☐ **In Favor** or ☐ **Against Measure**_____for the (Insert Name of Jurisdiction – County of San Luis Obispo, Special District Name, School District Name) at a (Insert Type of Election - Primary, General, Special) Election to be held on (Insert Election Date)_____.

Signatures of the author(s) of the **Argument** ☐ **In Favor** or ☐ **Against Measure** _____are required:

_____ Name (Print)	_____ Signature	_____ Date
_____ Name (Print)	_____ Signature	_____ Date
_____ Name (Print)	_____ Signature	_____ Date
_____ Name (Print)	_____ Signature	_____ Date
_____ Name (Print)	_____ Signature	_____ Date

The following author(s) are authorized to prepare, submit or sign the Rebuttal to the

Argument ☐ In Favor or ☐ Argument Against Measure _____ :

Print Name _____ Title _____	Signature _____ Date _____
Print Name _____ Title _____	Signature _____ Date _____
Print Name _____ Title _____	Signature _____ Date _____
Print Name _____ Title _____	Signature _____ Date _____
Print Name _____ Title _____	Signature _____ Date _____
