

# AMADOR COUNTY ELECTIONS

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#### **AMADOR COUNTY CLERK/RECORDER & REGISTRAR OF VOTERS**

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July 2020

#### Dear Candidate:

I congratulate you on your decision to run for public office. Your willingness to give your time in service to the residents of your community and Amador County is commendable. Merely by participating in an informative and civil campaign you improve the quality of this County's civic life.

As a candidate for office, you are now responsible for the legalities of candidacy, campaigning, and financial reporting. This process can be confusing, even for the most seasoned candidates.

We have developed this Candidate Guide to help you understand your responsibilities for the November 3, 2020 Presidential General Election.

I feel privileged and honored to serve you in my capacity as your Registrar of Voters. My office is ready to answer your questions and provide assistance. I encourage you to direct your questions regarding candidate filings to our Filing Officers, Mark Hammergren and Cynthia Greer at 209-223-6465 or email them at elections@amadorgov.org.

Sincerely,

Kimberly L Grady Registrar of Voters

# Contents

Key Dates & Deadlines	7
Measure Calendar In Brief	8
Candidate Filing Procedures Checklist	9
Qualifications by Office	11
Holding Two Offices	12
Nomination Papers	13
Declaration of Candidacy	17
Ballot Designation	20
Ballot Designation Worksheet	23
Other Forms	29
Extended Filing and Withdrawal of Candidacy	30
Candidate Statement Guidelines	31
Fictitious Samples of Candidate Statements	35
Campaign Disclosure Information	36
FPPC Filing Calendar	37
Selected State Laws Governing Campaign Practices	41
Important Reminders about Campaign Management	45
Voter File Data	46
Voter File Request Form	48
Campaign Signs	51
Voter Registration Information	53
Election Observing and Reporting	54

# Key Dates & Deadlines

	Candidate Filing				
July 13, 2020 –					
August 7, 2020	Candidate filing period *opening extended due to holiday €C § 8020				
August 8, 2020-	Condidate filing outersian poriod				
August 12, 2020	Candidate filing extension period EC § 8022, 8024				
August 13, 2020	Random Alphabet Drawing EC §13112				
August 27, 2020	Certified list of local candidates from Amador County Elections Office				
August 27, 2020	Certified list of federal and state candidates from Secretary of State EC § 8120 - 8125, 8148, 8149				
September 7, 2020 –	Write in candidate period secret				
October 20, 2020	Write-in candidate period EC § 8601				
	Campaign Disclosure Filing				
July 31, 2020	Last day — Semi-Annual Statements GC § 84200, 84218				
September 24, 2020	Last day – Pre-Election Statements – period of 07/1/2020 to 09/19/2020 GC § 84200.5, 84200.7				
October 22, 2020	Last day – Pre-Election Statements – period of 09/20/2020 to 10/17/2020 gc § 84200.5, 84200.7				
Within 24 Hours	Late Contributions & Independent Expenditures Reports – period of 08/05/2020 to 11/03/2020				
February 1, 2021	Last day – Semi-Annual Statements GC § 84200, 84218				
General Information					
October 19, 2020	15-Day Close of Registration (postmarked is acceptable) EC § 2102, 2107, 2115, 2116, 2152				
October 20, 2020 –	Conditional Veter Degistration				
November 3, 2020	Conditional Voter Registration EC § 2171				
October 24, 2020 –	Select Vote Centers open from 10:00 a.m. to 6:00 p.m. EC § 4005				
November 3, 2020	Select Vote Centers open nom 10.00 a.m. to 6.00 p.m. Et 9 4005				
November 3, 2020	All Vote Centers open from 7:00 a.m. to 8:00 p.m. EC § 4005				
	Vote by Mail Ballots				
September 4, 2020 – September 19, 2020	Vote by Mail ballot requests — Military and Overseas voters only EC § 300(b), 3103				
October 5, 2020	First day to request a Vote by Mail ballot EC § 3001, 3003, 3006, 3009				
October 27, 2020	Last day to request a Vote by Mail ballot by mail EC § 3001				
October 5, 2020 –	A Vista la Maril la llata a constant de la colonidata de constant de Clartica a Office de Constant de Con				
November 3, 2020	A Vote by Mail ballot request can be submitted over the counter at Elections Office EC § 3003				
November 3, 2020 –	A Vote by Mail ballot must be postmarked by November 3 and received by November 6 EC §				
November 6, 2020	3017, 3020				
Voter Information Guides					
September 24, 2020	First day Secretary of State starts mailing Voter Information Guides EC § 9094 (a)(c)				
	Canvass				
November 5, 2020	Official Canvass period begins EC § 335.5, 15301, 15302, 15360				
December 3, 2020	Last day to certify results – Official Canvass period ends EC § 15372, 15400				

# **MEASURE CALENDAR IN BRIEF**

Presidential General Election November 3, 2020

	EC § 10401, 10402, 10403	EC § 9160	EC § 9162, 9163	EC \$ 9163, 9190	EC § 9167	EC § 9167, 9190
Filed by July 25, 2020 - August 7, 2020	Deadline for local ordinances, resolutions, tax rate statement for bond measure or orders for calling an election to be filed with the Registrar of Voters office.	Impartial analysis due from County Counsel for measures. Not to exceed 500 words in length.	Deadline to submit Arguments IN FAVOR OF or AGAINST a local measure. Not to exceed 300 words in length.	10-calendar day public review period for Arguments IN FAVOR OF or AGAINST any measure. During this 10-calendar day review period, any person may seek Writ of Mandate or injunction requiring any or all of the material in the Argument IN FAVOR OF or AGAINST to be amended or deleted. All Writs of Mandate must be filed by the end of the 10-calendar day public examination period.	Deadline to submit Rebuttals to Arguments IN FAVOR OF or AGAINST a measure argument. Not to exceed 250 words in length.	10-calendar day public review period for Rebuttals to Arguments IN FAVOR OF or AGAINST any measure. During this 10-calendar day review period, any person may seek Writ of Mandate or injunction requiring any or all of the material in the Rebuttals to Arguments IN FAVOR OF or AGAINST to be amended or deleted. All Writs of Mandate must be filed no later than the end of the 10-calendar day public examination period
	07/25 – 08/07 E-101 – E-88	08/14 E-81	<b>08/17</b> E-78	08/18 – 08/28 E-77 – E-67	<b>08/21</b> E-74	08/22 – 08/31 E-73 – E-64
	EC § 10401, 10402, 10403	EC § 9160	EC § 9162, 9163	EC § 9163, 9190	EC § 9167	EC § 9167, 9190
Filed by July 6, 2020 - July 24, 2020	Recommended time frame for local ordinances, resolutions, tax rate statement for bond measure or orders for calling an election to be filed with the Registrar of Voters office.	Impartial analysis due from County Counsel for measures. Not to exceed 500 words in length.	Deadline to submit Arguments IN FAVOR OF or AGAINST a local measure. Not to exceed 300 words in length.	10-calendar day public review period for Arguments IN FAVOR OF or AGAINST any measure. During this 10-calendar day review period, any person may seek Writ of Mandate or injunction requiring any or all of the material in the Argument IN FAVOR OF or AGAINST to be amended or deleted. All Writs of Mandate must be filed by the end of the 10-calendar day public examination period.	Deadline to submit Rebuttals to Arguments IN FAVOR OF or AGAINST a measure argument. Not to exceed 250 words in length.	10-calendar day public review period for Rebuttals to Arguments IN FAVOR OF or AGAINST any measure. During this 10-calendar day review period, any person may seek Writ of Mandate or injunction requiring any or all of the material in the Rebuttals to Arguments IN FAVOR OF or AGAINST to be amended or deleted. All Writs of Mandate must be filed no later than the end of the 10-calendar day public examination period
Recommended Due Dates	07/06 – 07/24 E-120 – E-102	07/31 E-95	<b>08/10</b> E-85	08/11 – 08/20 E-84 – E-75	<b>08/17</b> E-78	08/18 – 08/27 E-77 – E- 68

<sup>\*</sup>Start date, End date or Deadline falls on a weekend or holiday. The date listed is the next business day.

# Code sections cited are for reference only and are not all-inclusive.

<sup>\*\*</sup>Documents will be printed as submitted. Spelling, punctuation and grammatical errors will not be corrected by the Elections Official.

# Candidate Filing Procedures Checklist

Please note: This can be used as a helpful checklist, but may not be fully inclusive of every requirement for every office.

Candidate Name:	
Election Date:	
Election Checklist	Date Received
Letter of Intent (for Judges only)	
Sigs in lieu	
Balance of Filing Fee Paid	
Office Requirements Form	
Nom sigs	
Ballot Designation	
Declaration of Candidacy-must stay in office	
Ballot Statement	
Fee Paid	
Media Sheet	
Fair Campaign Practices	
FPPC Forms	
501- must fill out immediately and stay in office	
410	
700	
Filing Schedule for Candidates	

# Local Offices to be Elected

All offices are 4 year terms unless otherwise listed

#### **School District**

Amador County Unified School District Trustee Area 4

Trustee Area 5

Cities

Amador City Member, City Council, 3 seats

City Treasurer

City of Ione Member, City Council, 2 seats

City Clerk City Treasurer

City of Jackson Member, City Council, 3 seats

City Clerk

City of Plymouth Member, City Council, 3 seats

City Clerk City Treasurer

City of Sutter Creek Member, City Council, 3 seats

Treasurer

**Districts** 

Amador Water Agency Director, District 2

Director, District 3

Director, District 5, Short Term

Volcano Community Services District Director, 3 seats

Please note that this list is subject to change after publication of this guide.

# Qualifications by Office

#### Generally:

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

#### Specifically:

#### **School District Governing Board Member**

Any person, who is 18 years of age or older, a citizen of the state, a resident of the school district, a registered voter, and who is not disqualified by the Constitution or laws of the state from holding a civil office, is eligible to be elected or appointed a member of a governing board of a school district without further qualifications. An employee of a school district may not be sworn into office as an elected or appointed member of that school district's governing board unless and until he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. *ED §35107* 

Notwithstanding any other provision of law, except as provided in subdivision (d), no person shall file nomination papers for more than one district office, including a county board of education office, at the same election. **EC §10603(c)** 

#### **Special District Board Member**

Candidate must be a resident and qualified elector of the district. (See various codes containing enabling legislation for district creation.

Find all 29 California Codes at: http://leginfo.legislature.ca.gov/faces/codes.xhtml).

## **Holding Two Offices**

Incompatible offices precludes public officials from holding two different public offices simultaneously if the offices have overlapping and conflicting public duties. Courts have summarized the doctrine as follows: "One individual may not simultaneously hold two public offices where the functions of the offices concerned are inherently inconsistent, as where there are conflicting interests, or where the nature of the duties of the two offices is such as to render it improper due to considerations of public policy for one person to retain both." (Mott v. Horstmann (1950) 36 Cal.2d 388; see also, Chapman v. Rapsey (1940) 16 Cal.2d 636.)

California Government Code §1099 provides detailed guidance on incompatible offices and specifies the defining characteristics:

Offices are incompatible when any of the following circumstances are present, unless simultaneous holding of the particular offices is compelled or expressly authorized by law:

- (1) Either of the offices may audit, overrule, remove members of, dismiss employees of, or exercise supervisory powers over the other office or body.
- (2) Based on the powers and jurisdictions of the offices, there is a possibility of a significant clash of duties or loyalties between the offices.
- (3) Public policy considerations make it improper for one person to hold both offices.

A number of legal opinions issued by the Office of the California Attorney General offer additional guidance in determining whether or not certain offices are incompatible. Here are five examples of offices that the Attorney General's Office has deemed to be incompatible:

- (1) the offices of city councilman and school district board member where the city and the school district have territory in common
- (2) the positions of fire chief of a county fire protection district and member of the board of supervisors of the same county:
- (3) the offices of trustee of a high school district and trustee of an elementary school district which is wholly within the geographic boundaries of the high school district;
- (4) a water district director and a city council member; and
- (5) a water district director and a school district trustee having territory in common.

# **Nomination Papers**

#### (July 13, 2020 - August 7, 2020)

We strongly encourage candidates to file their nomination papers ahead of the deadline to allow time to gather additional signatures if necessary.

Candidates for office requiring a filing fee must pay their filing fee prior to the issuance of nomination papers. Unless the candidate, by the petition-in-lieu process, has gathered signatures prior to the opening of the Candidate Filing period.

#### Required number of nomination signatures

A candidate who declares candidacy shall have registered voters, who are eligible to vote for the candidate, sign nomination papers. The number of registered voters required to sign a nomination paper are as follows: Candidacy in a single county or any political subdivision of a county, shall be not fewer than 20 or more than 40.

#### **Circulator of Nomination Papers**

Any person 18 years of age or older may circulate nomination papers. EC§102, 8451

#### Petitions and Papers Must Include Declaration of Circulator

- (a) Where any petition or paper is submitted to the elections official, 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 to the petition or paper were obtained.
- (b) Each declaration submitted pursuant to this section shall also set forth the following:
  - (1) That the circulator circulated that section and witnessed the appended signatures being written.
  - (2) 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.
- (c) The circulator shall certify to the content of the declaration as to its truth and correctness, under penalty of perjury under the laws of the State of California, with the signature of his or her name. The circulator shall state the date and the place of execution on the declaration immediately preceding his or her signature. **EC§104**

#### **Qualified Signers for Petitions and Nomination Papers**

Only a person who is a registered qualified voter at the time he/she signs the nomination paper is entitled to sign it. A signer shall, at the time of signing the petition or paper, personally affix his or her signature, printed name and place of residence, giving street and number, and if no street or number exists, then a designation of the place of residence which will enable the location to be readily ascertained. *EC§100* 

Candidates may also sign their own papers, and the signature will be given the same effect as that of any other qualified signer. *EC§106* 

#### **Circulating Within 100 Feet of Polling Place**

Signatures for nomination papers shall not be obtained within 100 feet of a polling place, or elections official's office on Election Day, or at any time a voter may be casting a ballot. *EC§18370* 

#### Voters May Sign Only One Paper Per Open Position

No signer shall, at the time of signing a certificate, have his or her name signed to any other nomination paper for any other candidate for the same office or, in case there are several places to be filled in the same office, signed to more nomination papers for candidates for that office than there are places to be filled. **EC§8069** 

#### Registering Voters at Time of Nomination Papers

Candidates may register voters at the same time as the voter signs the candidate's nomination paper. For purposes of verifying signatures on a petition or paper, a properly executed affidavit of registration shall be deemed effective for verification purposes *if both* (a) the affidavit is signed on the same date or a date prior to the signing of the petition, and (b) the affidavit is received by the elections official on or before the date on which the petition is filed. *EC§2102(b)* 

#### Validation of Signatures

The county elections official shall verify the signatures of the signers on the petition or paper with the registration affidavits on file in the office of the county elections official. The county elections official shall mark "not sufficient" any signature that does not appear in the same handwriting as appears on the affidavit of registration in his or her office, or that is accompanied by a declaration of party preference that is not in accordance with the declaration of party preference in the affidavit of registration. The county elections official may cease to verify signatures once the minimum requisite number of signatures has been verified. **EC§8081** 

No defect in any nomination document presented shall prevent the filing of another nomination document within the period allowed for presenting the nomination document. *EC§8102* 

The following guidelines will be used when validating signatures on nomination papers. A signature can be challenged for any of the follow reasons. If the signer:

- is not registered to vote;
- provides a signature on the petition that does not compare to the signature on the voter's affidavit of registration;
- does not reside in the appropriate district;
- uses a P.O. Box number for residence;
- residential address is omitted;
- uses a mail drop number for residence address;
- provides an address that is different from the voter's residential address on the affidavit of registration on the voter's record;
- prints his or her name for the signature, unless registered as such;
- lists and signs her name using spouse's name, such as "Mrs. John Jones";
- uses ditto marks for an address previously listed.

March 3, 2020, Presidential Primary Election (Elections Code §§ 100, 104, 8041, 8062, 8068, 8069, 8140; Code of Civil Procedure § 2015.5)

For County Elections and Secretary of State Official USE ONLY

Official Filing Form
County Flooding Official
County Elections Official
Ву:
Date Issued:

Filed in County of	
County Elections Official	
By:	
Date Received:	

Secretary of State Official

Candidate Name, Office, and Signer's County of Residence

I, the undersigned signer for	, for nomination/election to the
	Name of Candidate
office of	, to be voted for at the Presidential Primary Election to be held on March 3, 2020, hereby
assert as follows:	
I am a resident of	County and am registered to vote at the address
shown on this paper. I am not at	his time a signer of any other nomination paper of any other candidate for the above-named office.
My residence is correctly set for	n after my signature hereto:

PRECINCT (to be entered by Elections Official)	NAME	RESIDENCE	VERIFICATION (to be entered by Elections Official)
	Print:	Residence Address ONLY:	
	Signature:	City or Town:	
	Print: 2	Residence Address ONLY:	
	Signature:	City or Town:	
	Print 3	Residence Address ONLY:	
	Signature:	City or Town:	
	Print: 4	Residence Address ONLY:	
	Signature:	City or Town:	
	Print: 5	Residence Address ONLY:	
	Signature:	City or Town:	
	Print: 6	Residence Address ONLY:	
	Signature:	City or Town:	
	Print 7	Residence Address ONLY:	
	Signature:	City or Town:	
	Print: 8	Residence Address ONLY:	
	Signature:	City or Town:	

PRECINCT (to be entered b Elections Official	у	NAME	RESIDENCE	VERIFICATION (to be entered by Elections Official)
		Print: F	Residence Address ONLY:	
		Signature: (	City or Town:	
		Print: F	Residence Address ONLY:	
		Signature: (	City or Town:	
		l,Print Name	, solemnly swear (or affin	m) all of the following:
		That I am 18 years of age or older.     That my residence address, including street and numb     If no street or number exists, a designal.	per, isation of my residence adequate to readily ascer	tain its location is:
Affidavit of Circulator (to be	2	That the signatures on this section of the nomination p	paper were obtained between	, 20,
completed in circulator's own hand)	2		; that I circulated this section and I witnessed the signatures	
		whose name it purports to be.  I certify under penalty of perjury under the laws of the State	of my information and belief, each signature is the genuine of California that the foregoing is true and correct.	signature of the person
		Dated thisday of, 2	<b>X</b>	
			Signature of Circulato	or
		A notary public or other officer completing this certific this certificate is attached, and not the truthfulness, according to the certificate is attached.	ate verifies only the identity of the individual who signed the curacy, or validity of that document.	document to which
		State of California County of		
Notary	3	Subscribed and sworn to (or affirmed) before me on this , prov ed to me of	day of	, 20, by appeared before me.
		(Seal)	ignature	
Examined and certified by me this day of  County Elections Official				, 20
(TO BE ENTER	ED B	Y ELECTIONS OFFICIAL AFTER VERIFICATION)	WARNING, Every person coins or behalf	of a condidate is

Number of Valid Signatures on this Section:

Date:

By:

**WARNING:** Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any nomination paper in his or her possession that is entitled to be filed under the provisions of the Elections Code. (Elections Code § 18202.)

# **Declaration of Candidacy**

July 13, 2020 - August 7, 2020

#### **Legally Qualified Candidate**

- (a) A person shall not be considered a legally qualified candidate for an office, for party nomination for a partisan office, or for nomination to participate in the general election for a voter-nominated office, under the laws of this state unless that person has filed a declaration of candidacy or statement of write-in candidacy with the proper official for the particular election or primary, or is entitled to have his or her name placed on a general election ballot by reason of having been nominated at a primary election, or having been selected to fill a vacancy on the general election ballot as provided in Election Code 8807 or having been selected as an independent candidate pursuant to §8304.
- (b) Nothing in this section shall be construed as preventing or prohibiting any qualified voter of this state from casting a ballot for a person by writing the name of that person on the ballot, or from having that ballot counted or tabulated, nor shall this section be construed as preventing or prohibiting a person from standing or campaigning for an elective office by means of a "write-in" campaign. However, nothing in this section shall be construed as an exception to the requirements of Section 15341 or to permit a person to be a write-in candidate contrary to Sections 8600 and 8606.

#### Name on Ballot

The candidate's name as provided by the candidate on the Declaration of Candidacy is the way it will appear on the ballot. **The declaration cannot be changed after the nomination process is complete.** 

No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name, in the case of any election to any office. **EC§13106** 

If the candidate has changed his or her name within one year prior to the election, the new name will not appear on the ballot unless the change was made by either of the following: (a) Marriage, (b) Decree of any court of competent jurisdiction. *EC§13104* 

No candidate's name shall be printed on the ballot unless a Declaration of Candidacy and nomination papers are delivered for filing with the County Elections Official. The candidate shall execute the Declaration of Candidacy in the office of the County Elections Official. The candidate may signe and date a written statement designating a person to receive a Declaration of Candidacy form and Nomination Papers. Such statement shall include language explaining that the candidate is aware that the Declaration of Candidacy must be properly executed and delivered to the County Elections Official of the county of the candidate's residence by 5:00 p.m. on the 88<sup>th</sup> day before the election.. *EC§8020, 8028, 8040, 8041, and 8060* 



# County of Amador DECLARATION OF CANDIDACY

#### **Voter-Nominated and Nonpartisan Offices**

March 3, 2020, Presidential Primary Election (Elections Code §§ 20, 200, 8002.5, 8020, 8040, 8121, 8140, 13105)

For County Elections and Secretary of State Official USE ONLY	!	County Elections Official  By:  Date Issued:	County Elections Official By: Date Received:	Secretary of State Official
Candidate Name, Office, and Political Party Preference	1	My name isFirst	Middle/Initial (optional)  ify at the time of presentation of this declaration, as	Last
Ballot Information Name and ballot designation to appear on the ballot	2	I request my name and ballot designation  Print Your	ed, write "NONE" and initial in the box. (Elections on to appear on the ballot as follows:  r Name for Use on the Ballot  llot Designation Requested	Candidate initials below if NO ballot designation is preferred:  (Please complete Character-Based Name Form.)
w ebsite. ! Please ch	eck the	e Secretary of State (SOS) will publish one of the appropriate box to indicate which address you	wish to be used for publishing purposes.	Official Contact List of Candidates, and on the SOS

- ! If NO BOX IS CHECKED, the first address listed and provided below will be published.
- ! If a day telephone number, FAX number, email address, or website is provided, that information will also be published.
- ! If an evening telephone number is provided, and is different from day telephone number, it will not be published and it is for SOS use only.

	Publish	→ Mailing Address:		Apt or Unit #:	
		City:	State:	Zip Code:	_
	Publish	→ Residence Address (Required):		Apt or Unit #:	
Addresses, Telephone,		City:	State:	Zip Code:	_
Fax, Email, and Website	Publish	→ Business Address:		Apt or Unit #:	
		City:	State:	Zip Code:	_
	Telephone N	umbers: Day ( )	Ev ening ( )	Fax ( )	
	Email:		Website:		

		I meet the statutory and constitutional qualifications for this office (including, but not limited to, citizenship and residency). I am at present an incumbent of the following public office (if any):
Qualifications	4	I have not been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes.
		If nominated/elected, I will accept the nomination/election and not withdraw.
		x
		Signature of Candidate
		(1) I hereby certify that my complete voter registration and party affiliation/preference history from 2009 through the date of signing this document is as follows:
		Party Preference County Timeframe (by year, e.g. 2009-2010) 2009 -
Matan		
Voter- Nominated Office Only	5	*Only 10 years of party affiliation/preference history will be provided on the SOS website, even if additional information is provided.
Political Party History		(2) Pursuant to Section 8002.5 of the Elections Code, select one of the following:  Party Preference:
		(Insert the name of the qualified political party as disclosed upon your affidavit of registration)
		Party Preference: None  (if you have declined to disclose a preference for a qualified political party upon you affidavit of registration)
		D. I. II.
		Dated this day of, 20Signature of Candidate
0.4		I,, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.
Oath of Office	6	reservation of purpose of evasion, and that I will well and faithfully discharge the duties upon which I am about to enter.
		X
		Signature of Candidate
		A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which
		this certificate is attached, and not the truthfulness, accuracy, or validity of that document.
		State of California County of
	-	Subscribed and sworn to (or affirmed) before me on this day of, 20, by
Notary	7	, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.
		(Seal) Signature
		Examined and certified by me this day of, 20
		County Elections Official

# **Ballot Designation**

July 13, 2020 - August 7, 2020

#### **Ballot Designation**

Candidates have the option of using a ballot designation. The ballot designation is the word, or group of not more than three (3) words, which will appear on the ballot under the candidate's name, designating the current principal profession, vocation, or occupation of the candidate.

The ballot designation that a candidate may use is governed by *EC§13107*, which states the following:

- (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 is made pursuant to §8002.5 or §13105, 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, or to which he or she was appointed, in the case of a superior court judge.
  - (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, or, in the case of a superior court judge, was appointed to that office.
  - (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. 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.
  - (4) The phrase "appointed incumbent" 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." 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) Neither the Secretary of State nor any other elections official shall accept a designation of which any of the following would be true:
  - (1) It would mislead the voter.
  - (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
  - (3) It abbreviates the word "retired" or places it following any word or words which it modifies.
  - (4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of 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.
- (c) If, upon checking the nomination documents and the ballot designation worksheet described in Section 13107.3, the election 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).
  - (2) In the event the candidate fails to provide a designation that complies with subdivision (a) within the three-day period specified in paragraph (1), no designation shall appear after the candidate's name.
- (d) 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 elections official as specified in subdivision (c) or as provided in subdivision (e). 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.
- (e) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.
- (f) In all cases, the words so used shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements of Sections 13207 and 13211, the elections official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.

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

#### **Ballot Designation Worksheet Required**

- (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. *EC§13107.3*

#### Use of the term "Community Volunteer" as a Ballot Designation

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.

#### EC §13107.5(a)

#### Use of the Secretary of State's Ballot Designation Regulations

The California Secretary of State has adopted regulations (specifically, Chapter 7 of Division 2 of Title 2 of the California Code of Regulations) relating to ballot designations for certain offices. The Amador County Elections Official has opted to refer to those regulations to provide guidance in addressing issues which arise relating to ballot designations for local offices. The regulations are available online at www.oal.ca.gov/CCR.htm.

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 Name: Gender (optional, for translation use only):			
		Office:	Email:		
Candidate	4	Home Address:			
Information	1	Mailing Address:			
		Business Address:			
		Phone Number(s) Business:	Home/Mobile:	Fax:	
Attorney	2	Attorney Name (or other person authorized to ac	et on your behalf):		
nformation	_	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)

Proposed Ballot Designation(s):	1	1
Alternate Ballot Designation(s) 1:	1	1
Alternate Ballot Designation(s) 2:	1	1

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

3

- (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 "**PVO**s"), **complete a justification section for each separate PVO**.

- Concouvery in		- J, complete a jactimounion cooke	The custo copulate 1 vo.		
		Justification for use of 1st PVO:			
		Current or most recent job title:		Start/End Dates:	
		Employer Name or Business:		`	
		Person who can verify this information:			
1 (16)		Name:	Phone Number(s):	Email:	
Justification for use of		Justification for use of 2 <sup>nd</sup> PVO:	,		
Proposed Ballot					
Designation(s) If you are					
proposing	4	Current or most recent job title:		Start/End Dates:	
alternate ballot designations,		Employer Name or Business:		7	
please provide justification for		Person who can verify this information:			
use of those on Page 3.		Name:	Phone Number(s):	Email:	
raye J.		Justification for use of 3 <sup>rd</sup> PVO:			
		Current or most recent job title:		Start/End Dates:	
		Employer Name or Business:			
		Person who can verify this information:			
		Name:	Phone Number(s):	Email:	
				-	
Before signin	g below	v, answer/initial the following questions	. Does your proposed ballot d	esignation:	
		ion of the title of your current elected office? ndidates: Use only the word "Incumbent" for an	a clastiva office to which you were a	anaintad?	□Yes □ No Initial □Yes □ No Initial
		three total words for your principal professions		opolitieu?	□Yes □ No Initial
4) Sugge	st an eva	aluation of you, such as outstanding, leading, e	xpert, virtuous, or eminent?		□Yes □ No Initial
		us (Veteran, Activist, Founder, Scholar), rather	than a profession, vocation, or occu	pations?	□Yes □ No Initial
		word "retired? "retired" after the words it modifies? Example:	Accountant retired		□Yes □ No Initial □Yes □ No Initial
		prefix (except "retired") such as "former" or "ex		ocation or occupation?	□Yes □ No Initial
		retired" along with a current profession, vocatio			□Yes □ No Initial
		of a political party or political body?	,	<b>J</b>	□Yes □ No Initial
11) Refer	o a racia	al, religious, or ethnic group?			□Yes □ No Initial
12) Refer		ctivity prohibited by law?			□Yes □ No Initial
	lf	f the answer to any of these questions i	s "yes," your proposed ballot	designation is likely to	be rejected.
х				1	I
		Candidate's Signature	Date Signe	d: Month	Day Year

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

			Justification for use of 1st PVO:			
			Current or most recent job title:		Start/End Dates:	
			Employer Name or Business:			
			Person who can verify this information:			
			Name:	Phone Number(s):	Email:	
			Justification for use of 2 <sup>nd</sup> PVO:			
Justification for Alternate Ballot	Α		Current or most recent job title:		Start/End Dates:	
Designation(s) 1			Employer Name or Business:			
			Person who can verify this information:			
			Name:	Phone Number(s):	Email:	
			Justification for use of 3 <sup>rd</sup> PVO:			
			Current or most recent job title:		Start/End Dates:	
			Employer Name or Business:			
			Person who can verify this information:			
			Name:	Phone Number(s):	Email:	
		_				
			Justification for use of 1st PVO:			
			Current or most recent job title:		Start/End Dates:	
			Employer Name or Business:			
			Person who can verify this information:			
			Name:	Phone Number(s):	Email:	
			Justification for use of 2 <sup>nd</sup> PVO:	` '		
Justification for Alternate Ballot	В		Current or most recent job title:		Start/End Dates:	
Designation(s) 2	В		Employer Name or Business:			
			Person who can verify this information:			
			Name:	Phone Number(s):	Email:	
			Justification for use of 3 <sup>rd</sup> PVO:	, ,		
			Current or most recent job title:		Start/End Dates:	
			Employer Name or Business:			
			Person who can verify this information:			
			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.



- (c) The Secretary of State shall provide a master copy or copies of the Ballot Designation Worksheet to all elections officials responsible for providing and accepting the nomination documents for candidates in elections for offices certified by the Secretary of State. The Ballot Designation Worksheet shall request that the candidate proposing the ballot designation provide the following information:
- (1) The candidate's name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number;
- (2) A designation of the office for which the candidate is seeking election;
- (3) The name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number of the attorney representing the candidate or for any other person to be contacted in the event the Secretary of State requires further information regarding the proposed ballot designation;
- (4) The proposed ballot designation submitted by the candidate;
- (5) The candidate may submit one or more proposed alternate ballot designations ranked in order of the candidate's preference;
- (6) A brief statement identifying the factual basis upon which the candidate claims the proposed ballot designation and each proposed alternate ballot designation, including the following:
- (A) If the candidate holds elected office and is submitting his or her proposed ballot designation pursuant to Elections Code § 13107, subdivisions (a)(1) or (a)(2), the candidate shall indicate the elective office he or she currently occupies and may attach a copy of his or her Certificate of Election;
- (B) If the candidate is a judicial officer and is submitting his or her proposed ballot designation pursuant to Elections Code § 13107, subdivisions (a)(1) or (a)(2), the candidate shall indicate the elective office he or she currently holds and may attach either (A) a copy of his or her Certificate of Election or (B) a copy of his or her commission or certificate of appointment, issued at the time the candidate was appointed to the judicial office which he or she currently occupies;
- (C) If the candidate submits a ballot designation pursuant to Elections Code § 13107, subdivision (a)(3), the candidate shall indicate:
- (i) The title of the position or positions which he or she claims supports the proposed ballot designation;
- (ii) The dates during which the candidate held such position;
- (iii) A description of the work he or she performs in the position;
- (iv) The name of the candidate's business or employer;
- (v) The name and telephone number of a person or persons who could verify such information; and
- (vi) A statement that the professions, vocations or occupations relied upon to support the proposed ballot designation constitute the primary, main or leading professions, vocations or occupations of the candidate, in accordance with the definition of the term "principal" as set forth at § 20714, subdivision (b).
- (D) If the candidate submits a ballot designation pursuant to Elections Code § 13107, subdivision (a)(4), the candidate shall indicate the date on which he or she was appointed to the office for which he or she is an appointed incumbent.
- (d) The candidate may attach or append any supporting documents or other exhibits to his or her Ballot Designation Worksheet which he or she believes support his or her proposed ballot designation. Such attached documents or other exhibits shall be deemed to be incorporated by reference as part of the candidate's Ballot Designation Worksheet and shall be considered as such by the Secretary of State.
- (e) If a candidate requests a change of his or her ballot designation pursuant to Elections Code § 13107(e), that request shall be accompanied by a Ballot Designation Worksheet.

### Other Forms

The entire set of <u>official</u> forms relating to becoming a candidate and operating an election campaign will be provided by the Amador County Elections Office at the time of your candidate filing appointment.

#### **Ballot Designation Worksheet (Required)**

As a supplement to the ballot designation indicated on a candidate's Declaration of Candidacy, a Ballot Designation Worksheet is required of all candidates. The Ballot Designation Worksheet provides verification and supporting information as to the validity of the candidate's proposed designation as well as alternate designations, should the Elections Official find the proposed designation to be invalid.

#### **Code of Fair Campaign Practices (Optional)**

The Legislature declares that the purpose of this chapter [Chapter 5, Division 20 of the California Elections Code] is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices. It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions. *EC§20400* 

At the time an individual is issued his or her Declaration of Candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official, shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary. The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election. Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection. In no event shall a candidate for public office be required to subscribe to or endorse the code.

#### EC§20400 - 20444

#### Form 700 - Statement of Economic Interest (Required)

All candidates are required to file a statement disclosing personal investments and his or her interest in real property. Forms must be filed by the final date for filing the Declaration of Candidacy (August 7, 2020). *GC*§87100, 87200, 87302.3

#### Permission to Post Personal Information Form (Required)

No state or local agency shall post the home address or telephone number of any elected or appointed official on the internet without first obtaining the written permission of that individual.

No person shall knowingly post the home address or telephone number of any elected or appointed official, or of the official's residing spouse or child on the internet knowing that person is an elected or appointed official and intending to cause imminent great bodily harm that is likely to occur or threatening to cause imminent great bodily harm to that individual. A violation of this subdivision is a misdemeanor. A violation of this subdivision that leads to the bodily injury of the official, or his or her residing spouse or child, is a misdemeanor or a felony.

For purposes of this section "elected or appointment official" includes, but is not limited to, all of the following: (1) State Constitutional Officers; (2) Members of the Legislature; (3) Judges and Court Commissioners; (4) District Attorneys; (5) Public Defenders; (6) Members of a City Council; (7) Members of a Board of Supervisors; (8) Appointees of the Governor; (9) Appointees of the Legislature; (10) Mayors; (11) City Attorneys; (12) Police Chiefs and Sheriffs; (13) A Public Safety Official as defined in Section 6254.24. *GC*§6254.21

# **Extended Filing and Withdrawal of Candidacy**

# Extension of the Filing Period if an Eligible Incumbent Does Not File and/or Qualify (August 7, 2020 – August 12, 2020)

If an eligible incumbent does not file Nomination Papers by Friday, August 7, 2020 at 5:00 p.m., the filing period is extended for that office for five calendar days until Wednesday, August 12, 2020 at 5:00 p.m., for any person other than the incumbent. This section is not applicable where there is no incumbent eligible to be elected. *EC§10225*, 10407, 10516, 10604

#### Withdrawal of Candidacy

(August 12, 2020)

No candidate shall withdraw his or her Declaration of Candidacy after 5:00 p.m. on the 88th day prior to the election. If the filing period is extended, as explained above, a candidate may withdraw his or her Declaration of Candidacy until 5:00 p.m. on the 83rd day before the election.

EC§10224, 10225(b), 10510, 10516(b), 10603(b), 10604(b)

# Candidate Statement Guidelines

#### COST OF LOCAL CANDIDATE STATEMENT 350.00 STATEWIDE CANDIDATE STATEMENT \$400.00

Elections Code §13307 lists the following requirements regarding the candidate statement:

- (a) (1) Each candidate for nonpartisan elective office in any local agency, including any city, county, city and county, or district, may prepare a candidate's statement. The statement may include the name, age, and occupation of the candidate and a brief description, of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.
  - (2) The statement authorized by this subdivision shall be filed in the office of the elections official when the candidate's nomination papers are returned for filing, if it is for a primary election, or for an election for offices for which there is no primary.
  - (3) Except as provided in Section 13309, the statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5 p.m. of the next working day after the close of the nomination period.
- (b) The elections official shall send to each voter a voter's pamphlet which contains the written statements of each candidate that is prepared pursuant to this section. The statement of each candidate shall be printed in type of uniform size and darkness, and with uniform spacing. The elections official shall provide a Spanish translation to those candidates who wish to have one, and shall select a person to provide that translation from the list of approved Spanish language translators and interpreters of the superior court of the county or from an institution accredited by the Western Association of Schools and Colleges.
- (c) The local agency may estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the federal Voting Rights Act of 1965, as amended. The local agency may require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the receipt for the payment shall include a written notice that the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the local agency is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the local agency may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the local agency which, or the elections official who, collected the estimated cost shall prorate the excess amount among the candidates and r e f u n d the excess amount paid within 30 days of the election.

- (d) Nothing in this section shall be deemed to make any statement, or the authors thereof, free or exempt from any civil or criminal action or penalty because of any false, slanderous, or libelous statements offered for printing or contained in the voter's pamphlet.
- (e) Before the nominating period opens, the local agency for that election shall determine whether a charge shall be levied against that candidate for the candidate's statement sent to each voter. This decision shall not be revoked or modified after the seventh day prior to the opening of the nominating period. A written statement of the regulations with respect to charges for handling, packaging, and mailing shall be provided to each candidate or his or her representative at the time he or she picks up the nomination papers.
- (f) For purposes of this section and Section 13310, the board of supervisors shall be deemed the governing body of judicial elections.

#### **Guidelines for All Candidates**

It is strongly recommended that the statement be filed personally by the candidate. If the statement is filed by someone other than the candidate, that person should have the authority to make corrections or deletions to the statement in the event that errors or an excess number of words are detected prior to filing the statement. Statements received by mail prior to the deadline will be filed provided that they meet the statutory requirements and county policies regarding candidates' statements. Statements may not be changed after filing.

#### Format and Non-Conformity

In order to ensure uniformity of all candidates' statements, each candidate **must** prepare the statement according to the following guidelines:

Type the statement exactly as you wish it to appear.

In addition to hard copy, please provide the statement on flash drive, CD or by email (elections@amadorgov.org) in plain text format (\*.txt), if possible.

One signed hard copy must be filed by the deadline. If there are any discrepancies between the hard copy and the electronic copy, the hard copy will prevail.

Do not use formats that are underlined, bolded, italicized, or ALL CAPITALIZED.

Do not use any unusual spacing, punctuation, indentations, bullets, or an outline format.

Check your statement for errors in spelling, punctuation and grammar. Remember, statements cannot be changed once they are filed and the County Elections Official is not responsible for correcting these errors.

Confine the statement to the applicable word number limit.

Do not include any party affiliation (applies to nonpartisan offices).

Do not include membership or activity in partisan political organizations (applies to nonpartisan offices).

All statements will be formatted to fit within a quarter-page space. If a statement is submitted and found non-compliant in format, the Elections Official will make the necessary changes to create compliance.

In the case where a candidate submits a statement which is not in conformance with the guidelines provided (i.e., typed in all caps, underscoring, unusual spacing, outline form, or capitalization of some words for emphasis purposes), the Elections Office will instruct the printer to ignore any special emphasis placed on words or phrases, and to set the statements utilizing a uniform format.

The heading includes the candidate's name (required), age (optional), and occupation (optional). All statements will be formatted to begin with the words: "Education and Qualifications:" followed by the text filed by the candidate. These words, as well as the heading, are standardized and included in the space provided. The words "Education and Qualifications" do not count toward the number of words allowed for the statement.

The "Occupation" field in the candidate's statement is NOT governed by the laws and regulations pertaining to the ballot designation that appears underneath the candidate's name on the ballot. Therefore, it may be different from the candidate's ballot designation. However, if its length exceeds one line, the candidate may be asked to modify words. In addition, the statement of "Occupation" must otherwise conform to applicable laws and regulations and should not be misleading.

#### **Word Counting**

Pursuant to the Secretary of State's guidelines and Section 9 of the Elections Code, words will be counted as follows:

Each word shall be counted as one word except as specified in Section 9.

All geographical names shall be considered as one word; for example, "City and County of San Francisco" shall be counted as one word.

Each abbreviation for a word, phrase, or expression shall be counted as 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. Examples: "mother-in-law", "first-rate", "one-time" will be counted as one word; "one-half", "local-area", "home-page" will be counted as two words.

Dates consisting of a combination of words and digits (April 22, 2020 or March 2019) shall be counted as two words. Dates consisting only of a combination of digits (4/22/2020 or 2019-2020) shall be counted as one word.

Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. Examples: "one" shall be counted as one word; "one hundred" shall be counted as two words; and "100" shall be counted as one word.

Telephone numbers shall be counted as one word.

Internet website addresses shall be counted as one word.

This section shall not apply to counting words for ballot designations under Section 13107.

Characters used in place of a word or number, such as "&" or "#", shall be counted as one word.

Punctuation is not counted.

Name, age and occupation located in the header is not counted.

If the text exceeds the word limit, the author will be asked to rewrite the text in order to bring the total number of words within the required word limit.

#### Withdrawal

Any candidate may withdraw (but not change) the filed candidate statement, either in person or by a signed statement of withdrawal, no later than 5:00 p.m. of the next business day following the close of the nomination period. *EC§13307(a)(3)* 

#### Confidentiality

Notwithstanding the California Public Records Act, the statements filed pursuant to Elections Code §13307 shall remain confidential until expiration of the filing deadline. *EC§13311* 

#### **Public Examination of Candidate Statements**

Statements are available for public examination in the county election official's office during the 10-calendar-day review period (commencing at 5:00 p.m. August 7, 2020 or August 12, 2020 for extended races) prior to submission for printing. During this period any voter of the jurisdiction in which the election is to be held, or the county election official, may seek a writ of mandate or an injunction requiring any or all of the material in the statement to be amended or deleted. Venue for such a proceeding shall be the county in which the statement is filed. If the statement is filed in more than one county, the writ or injunction must be sought in each county in which amendments or deletions to the statement are sought. **EC§13313** 

#### Official Voter Information Pamphlet Sign-Off Process

Final copies of how candidate statements will appear in the Official Voter Information Pamphlet will be sent to each individual for "sign-off" approval. Changes will only be made if the finalized version differs from the hard copy submitted or if a gross error was made on the part of the Elections Office.

A 24-hour turnaround time is required for this sign-off process, so as not to jeopardize the printing schedule.

The Official Voter Information Pamphlet will be inserted into the Vote-By-Mail packets and mailed to each voter. The Vote-By-Mail mailing period for this election will begin no later than October 5, 2020 and commence through October 27, 2020.

# Fictitious Samples of Candidate Statements

Below are fictitious samples of 200-word statements as they would appear in the voter information portion of the sample ballot pamphlet. Statements will appear in the same order as the candidates' names appear on the ballot, except for offices elected throughout the county (which are rotated on the ballot by supervisorial district, but not rotated in the Sample Ballot).

#### Candidates for the Office of City Council

Name: Joseph W. Candidate

Occupation: Businessman/Community Volunteer

Education and Qualifications: I have lived here my entire life and I love this community. I would like to get more involved in our community affairs. I believe that I am the best person for this position and I am willing to work very hard to make our lovely little community the best that it can possibly be. If you elect me I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention. I believe that by improving our community we can provide a safe and secure environment for our children and families to enjoy a quality of life that is no longer available in the big overgrown metropolis to the west of us

I have years of experience in planning and organizing, and I am willing to use all of this experience and all of my training and education to do the best job that I can. I will make myself readily available to the public for all needs.

Please support me. Jcandidate@email.com or www.joecandidate.com /s/

Name: Fred Businessman Age: 38
Occupation: Health Director

Education and Qualifications: I have lived here my entire life and I love this community. I would like to get more involved in our community affairs. I believe that I am the best person for this position and I am willing to work very hard to make our lovely little community the best that it can possibly be. If you elect me I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention. I believe that by improving our community we can provide a safe and secure environment for our children and families to enjoy a quality of life that is no longer available in the big overgrown metropolis to the west of us. I have years of experience in planning and organizing, and I am willing to use all of this experience and all of my training and education to do the best job that I can. I will make myself readily available to the public for all needs. Please support me. You may find information about campaign www.fredbusinessman.com/s/

Name: Jane Campaigner Age: 41
Occupation: Educator

**Education and Qualifications**: I have lived here my entire life and I love this community. I would like to get more involved in our community affairs. I believe that I am the best person for this position and I am willing to work very hard to make our lovely little community the best that it can possibly be.

If you elect me I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention. I believe that by improving our community we can provide a safe and secure environment for our children and families to enjoy a quality of life that is no longer available in the big overgrown metropolis to the west of us. I have years of experience in planning and organizing, and I am willing to use all of this experience and all of my training and education to do the best job that I can. I will make myself readily available to the public for all needs. Please support me. Jcampaigner@email.com/s/

Name: Margaret "Peg" Voter Age: 45
Occupation: Real Estate Agent/Mother

**Education and Qualifications**: I have lived here my entire life and I love this community. I would like to get more involved in our community affairs. I believe that I am the best person for this position and I am willing to work very hard to make our lovely little community the best that it can possibly be. If you elect me I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention.

I believe that by improving our community we can provide a safe and secure environment for our children and families to enjoy a quality of life that is no longer available in the big overgrown metropolis to the west of us. I have years of experience in planning and organizing, and I am willing to use all of this experience and all of my training and education to do the best job that I can. I will make myself readily available to the public for all needs. Call me anytime (209.555.5555). Please support me. /s/

# Campaign Disclosure Information

California's Political Reform Act of 1974 (*GC* §§81000-9101) requires candidates to file periodic campaign statements which disclose contributions received and expenditures made. The Act is administered and enforced by California's Fair Political Practices Commission. You may contact the Commission's Technical Assistance Division at: 428 J Street, Suite 620, Sacramento, CA 95814; phone 916.322.5660 (Toll Free 1-866-ASK-FPPC) or visit their website at www.fppc.ca.gov.

#### Form 501 — Candidate Intention

Must be filed before you solicit or receive any contributions or before making expenditures of personal funds on behalf of your candidacy. File with the filing officer who will receive your original campaign disclosure statements.

#### Form 410 — Statement of Organization

Form 410 is used when organizing a campaign committee and must be filed within 10 days of receiving \$2,000 in contributions. The form includes a space to indicate the campaign's bank account information. File the original and one copy with the Secretary of State's Political Reform Division and a copy with the County Clerk. Note: Form 502 is no longer required.

#### Form 460 — Form/Consolidated Campaign Statement

Form 460 is a Recipient Committee Campaign Statement, for use by a candidate or officeholder who has a controlled committee, or who has raised or spent or will raise or spend \$2,000 or more during a calendar year in connection with an election to office, or holding office.

#### Form 465 — Supplemental Independent Expenditure Statement

NO LONGER USED AS OF 01/01/2016

#### Form 470 — Candidate and Officeholder Campaign Statement (Short Form)

This form is used by candidates who do not have a controlled committee and do not anticipate receiving contributions or making expenditures totaling \$2,000 or more in a calendar year. If a Form 470 is filed on or before the filing deadline for the first pre-election campaign statement, no additional campaign statement need be filed in connection with the election, so long as total receipts/expenditures remain less than \$2,000.

#### Form 470 Supplement

A candidate who has filed Form 470 in connection with an election and subsequently receives contributions or makes expenditures totaling \$2,000 or more is required to file notification within 48 hours. Form 470 Supplement may be used, and must be sent by telegram, guaranteed overnight service, personal delivery or fax to the Secretary of State, the local filing officer, and to each of his or her opponents seeking the same office.

#### Form 496 — Late Independent Expenditure Report

Any committee that makes independent expenditures totaling \$1,000 or more to support or oppose a single candidate or single ballot measure during the 90 days immediately prior to the election in which the candidate or measure is being voted must file a report within 24 hours of the expenditure.

#### Form 497 — Late Contribution Report

Any committee that makes or receives a late contribution totaling \$1,000 or more from a single source during the 90 days immediately prior to the election in which the candidate or measure is to be voted must file a report within 24 hours of the time the contribution was made or received.

#### **Campaign Statements**

All candidates with qualified committees are required to file semi-annual campaign statements no later than July 31 and January 31. In addition, all committees that have made or received contributions of \$2,000 or more or made expenditures of \$2,000 or more in connection with an election and during the periods specified in the chart to follow must file campaign statements on the required dates.

## Committees Primarily Formed to Support/Oppose Candidates for Local Office November 3, 2020 Ballot Fair Political Practices Commission Filing Schedule for

Deadline	Period	Form	Notes
<b>Jul 31, 2020</b> Semi-Annual	* – 06/30/20	460	All committees must file this statement.
Within 10 Days Independent Expenditure Verification	Ongoing	462	<ul> <li>Committees making independent expenditures must file this form with the FPPC.</li> <li>Email only. No paper copy is required.</li> <li>Committees file only one Form 462 per election for each candidate or measure supported or opposed by an independent expenditure.</li> </ul>
Within 24 Hours Contribution/ Independent Expenditure Reports	8/5/20 – 11/3/20	496 497	<ul> <li>496: File if an independent expenditure of \$1,000 or more in the aggregate is made.</li> <li>497: File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>497: File if a contribution of \$1,000 or more in the aggregate is made to or in connection with a candidate or measure being voted upon November 3, 2020, or to a political party committee.</li> <li>The recipient of a non-monetary contribution of \$1000 or more in the aggregate must file a Form 497 within 48 hours from the time the contribution is received.</li> <li>File by personal delivery, e-mail, guaranteed overnight service, or fax. The committee may also file online, if available.</li> </ul>
Sep 24, 2020 1st Pre-Election	7/1/20 – 9/19/20	<u>460</u>	All committees must file this statement.
<b>Oct 22, 2020</b> 2 <sup>nd</sup> Pre-Election	9/20/20 - 10/17/20	<u>460</u>	<ul> <li>All committees must file this statement.</li> <li>File by personal delivery or guaranteed overnight service. The committee may also file online, if available.</li> </ul>
Feb 1, 2021 Semi-Annual	10/18/20 – 12/31/20	460	<ul> <li>All committees must file this statement unless the committee filed termination Forms 410 and 460 before Dec 31, 2020.</li> </ul>

### Additional Notes:

- \* Period Covered: The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- Local Ordinance: Always check on whether additional local rules apply.

te 2020 – 081319	
02 Local PF Candidate	
Campaign Filing Schedule	
Phone Advice: 1-866-ASK-FPPC	
Email Advice: advice@fppc.ca.gov	
www.fppc.ca.gov	

Page 1 of 2

# Fair Political Practices Commission

- Day Contribution Report (Form 497) that is due the weekend before the election, and this extension never applies to any 24-Hour/10-Day Independent Expenditure Deadline Extensions: Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to a 24-Hour/10-Report (Form 496). Such reports must be filed within 24 hours, regardless of the day of the week.
- Method of Delivery: All paper filings may be filed by first class mail unless otherwise noted. A paper copy of a statement may not be required if a local agency requires online filing pursuant to a local ordinance.
- Multipurpose Organizations (including non-profits): A multipurpose organization that uses its general dues account to make contributions or expenditures may recipient committee may need to file reports disclosing contributors. For more information, see the FPPC's fact sheet, Campaign Reporting Rules for Multipurpose qualify as a major donor or independent expenditure committee and may be required to report payments on Campaign Form 461. Such an organization will qualify as a recipient committee if expenditures exceed \$50,000 in a 12-month period or \$100,000 in four consecutive calendar years. An organization that qualifies as a Organizations.
- Public Documents: All statements are public documents.
- Resources: Campaign manuals and other instructional materials are available here. Or, visit www.fppc.ca.gov > Learn > Campaign Rules.

02 Local PF Candidate 2020 - 081319 Campaign Filing Schedule Phone Advice: I-866-ASK-FPPC Email Advice:

Page 2 of 2

## Committees Primarily Formed to Support/Oppose Local Measures Fair Political Practices Commission Filing Schedule for

# Listed on the November 3, 2020 Ballot

Deadline	Period	Form	Notes
<b>Jul 31, 2020</b> Semi-Annual	* - 6/30/20	460	All committees must file this statement.
Within 24 Hours Contribution Reports	8/5/20 – 11/3/20	497	<ul> <li>File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>File if a contribution of \$1,000 or more in the aggregate is made to or in connection with another candidate or another measure being voted upon November 3, 2020 ballot, or made to a political party committee.</li> <li>The recipient of a non-monetary contribution of \$1,000 or more in the aggregate must file a Form 497 within 48 hours from the time the contribution is received.</li> <li>File by personal delivery, e-mail, guaranteed overnight service, or fax. The committee may also file online, if available.</li> </ul>
<b>Sep 24, 2020</b> 1st Pre-Election	7/1/20 – 9/19/20	460	All committees must file this statement.
Oct 22, 2020 2 <sup>nd</sup> Pre-Election	9/20/20 - 10/17/20	460	<ul> <li>All committees must file this statement.</li> <li>File by personal delivery or guaranteed overnight service. The committee may also file online, if available.</li> </ul>
<b>Feb 1, 2021</b> Semi-Annual	10/18/20 - 12/31/20	460	<ul> <li>All committees must file this statement unless the committee filed termination Forms 410 and 460 before December 31, 2020.</li> </ul>

## **Additional Reports**

Depending on committee activity, the following reports may also be required:

- 460 Ballot Measure Quarterly Report: Quarterly campaign reports are required prior to the semi-annual period in which pre-election reports must be filed.
- 511 Paid Spokesperson Report: File within 10 days of making either of the following expenditures related to an advertisement to support or oppose a ballot measure: 1) a payment totaling \$5,000 or more to an individual to appear in an advertisement, or 2) a payment of any amount to an individual portraying a member of a licensed occupation (e.g., nurse, doctor, firefighter).

## Fair Political Practices Commission

## Additional Notes:

- \* Period Covered: The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- Local Ordinance: Always check on whether additional local rules apply.
- Day Contribution Report (Form 497) that is due the weekend before the election, and this extension never applies to any 24-Hour/10-Day Independent Expenditure Deadline Extensions: Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to a 24-Hour/10-Report (Form 496). Such reports must be filed within 24 hours, regardless of the day of the week.
- Method of Delivery: All paper filings may be filed by first class mail unless otherwise noted. A paper copy of a statement may not be required if a local agency requires online filing pursuant to a local ordinance.
- Other Committee Expenditures: Contact the FPPC if the committee makes independent expenditures/contributions to candidates and/or other measures. Additional reports may be required.
- Multipurpose Organizations (including non-profits): A multipurpose organization that uses its general dues account to make contributions or expenditures may qualify as a major donor or independent expenditure committee and may be required to report payments on Campaign Form 461. Such an organization will qualify recipient committee may need to file reports disclosing contributors. For more information, see the FPPC's fact sheet, Campaign Reporting Rules for Multipurpose as a recipient committee if expenditures exceed \$50,000 in a 12-month period or \$100,000 in four consecutive calendar years. An organization that qualifies as a
- Public Documents: All statements are public documents.
- Resources: Campaign manuals and other instructional materials are available here. Or, visit www.fppc.ca.gov > Learn > Campaign Rules. •

oc.ca.gov advice@fnnc.ca.gov

### Selected State Laws Governing Campaign Practices

The following are selected laws from California Elections Code (Divisions 18 and 20) and Government Code (Title 9, Political Reform Act), and accompanying regulations. For a complete listing of restrictions on campaign practices and accompanying regulations, please refer to the Divisions and Titles in their entirety.

### Restrictions on Campaign Literature and Certain Other Campaign Activities

### **Candidate Statement and Qualifications**

Candidates are advised not to mislead voters in their candidate statement.

Elections Code **§18351** states: "Any candidate in an election or incumbent in a recall election who knowingly makes a false statement of a material fact in a candidate's statement, prepared pursuant to Section 11327 or 13307, with the intent to mislead the voters in connection with his or her campaign for nomination or election to a non-partisan office is punishable by a fine not to exceed one thousand dollars (\$1,000)."

### Use of a Simulated Ballot

The publication of a "simulated ballot" in relation to elections is regulated by **EC§20009** which states in relevant part:

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

### NOTICE TO VOTERS (Required by Law)

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

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

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

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

### Campaign Advertising or Communication Defined

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

### Mass Mailing

A "mass mailing" is defined in Government Code Section 82041.5 as "over two hundred substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry."

- (a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.
- (b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.
- (c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

### GC§84305

### **Political Advertising**

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

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

### Libel and Slander

"The provisions of Part 2 (commencing with Section 43) of Division 1 of the Civil Code, relating to libel and slander, are applicable to any campaign advertising or communication." *EC§20500* 

### Persons Liable

- (a) A candidate or state measure proponent is liable for any slander or libel committed by a committee that is controlled by that candidate or state measure proponent as defined by Section 82016 of the Government Code if the candidate or state measure proponent willfully and knowingly directs or permits the libel or slander.
- (b) A person who is a sponsor of a sponsored committee, as defined by Section 82048.7 of the Government Code, is liable for any slander or libel committed by the sponsored committee if the sponsor willfully and knowingly directs or permits the libel or slander.

### EC §20501

### **Electioneering on Election Day**

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

- (a) Circulate an initiative, referendum, recall or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his or her ballot.
- (c) Place a sign relating to voter's qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.
- (d) Do any electioneering, as defined by Section 319.5.

As used in this section "100 feet of a polling place or an election official's office" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots. Any person who violates any of the provisions of this section is guilty of a misdemeanor. *EC§18370* 

### Compelling Another in Voting (EC §18540)

- (a) Every person who makes use of or threatens to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.
- (b) Every person who hires or arranges for any other person to make use of or threaten to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted for refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

### Solicitation Dissuading Persons from Voting (EC§18541)

- (a) No person shall, with the intent of dissuading another person from voting, within 100 feet of a polling place, do any of the following:
  - (1) Solicit a vote or speak to a voter on the subject of marking his or her ballot.
  - (2) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.
  - (3) Photograph, video record, or otherwise record a voter entering or exiting a polling place.
- (b) Any violation of this section is punishable by imprisonment in a county jail for not more than 12 months, or in the state prison. Any person who conspires to violate this section is guilty of a felony.
- (c) For purposes of this section, 100 feet means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.
- NOTE: For purposes of EC§18541(a)(3), the photographing, videotaping, or recording of a voter must be in order to dissuade the person from voting. This does not apply to situations where newspaper photographers are photographing a polling place for journalistic purposes.

### Challenging a Vote without Probable Cause (EC§18543)

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

### Fine for Solicitation Requesting Voter Disclosure of Ballot

Any person other than an elections official or a member of the precinct board who receives a voted ballot from a voter or who examines or solicits the voter to show his or her voted ballot is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment. This section shall not apply to persons returning a vote by mail ballot pursuant to Sections 3017 and 3021 or persons assisting a voter pursuant to Section 14282. *EC§18403* 

### Chapter 2.03 - Campaign Contributions

### 2.03.010-Definitions

- (a) The definitions and other provisions of the applicable provisions of the California Political Reform Act of 1974 (Government Code sections 81000 et seq.) and any amendments thereto and the regulations of the Fair Political Practices Commission shall govern the interpretation and application of this section to the extent practicable.
- (b) "County office" means the office of member of the Board of Supervisors, Assessor-County Clerk-Recorder, Controller, District Attorney, Sheriff, Coroner, and Treasurer-Tax Collector. *Ord.* 4324, 08/15/06

Note: Other local (city) campaign finance ordinances can be found online at: www.fppc.ca.gov

### Important Reminders about Campaign Management

(The following is an excerpt from the FPPC website)

Be Informed: Study FPPC Campaign Disclosure Manuals:

- Manual 1: State Candidates, and their Controlled and Primarily Formed Committees
- Manual 2: Local Candidates, Superior Court Judges, and their Controlled and Primarily Formed Committees

**Before Raising or Spending any Money:** File Form 501 (Candidate Intention). Then open a campaign bank account. Once \$1,000 is raised or spent, get an identification number by filing Form 410.

Mark Your Calendar: Know the due dates for campaign statements and file them on time.

**Keep Good Records:** Maintain details on contributions and expenditures of \$25 or more. Refer to record keeping guidelines in your campaign disclosure manual.

**\$100 or more in Cash:** Never accept or spend \$100 or more in cash.

**Using Personal Funds for Campaign Expenses:** All personal funds of the candidate must first be deposited in the campaign bank account, except for filing fee/ballot statement fee.

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

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

If an Agent or Campaign Consultant Buys Goods or Services for the Campaign: Itemize expenditures of \$500 or more made by the agent or consultant.

**Identify Candidate/Committee on Mailings:** Include your name and campaign address in at least 6-point type on the outside of all mass mailings (more than 200 pieces). Your committee's name may be used if it includes your name. If your name is not part of the committee's name, you may use just your name, or both your name and the name of the committee.

**No Personal Use of Campaign Funds:** Use campaign funds only for political, legislative, or governmental purposes.

### Voter File Data

Our database of voter registration information is available to qualified purchasers, subject to submission and approval of the required application form and payment of the required fee. Inquiries and applications should be directed to the Elections Office at 209.223.6465 or elections@amadorgov.org

### What is Available

You may obtain our current database file of active status voters, encompassing the entire county or limited to the cities, districts or precincts that you specify. This file will contain:

- Voter name
- Residence and mailing address
- Precinct number and portion
- Birth date and birth place
- Telephone number
- Date of registration
- · Vote by Mail voter status
- Political party
- Email address
- Date last voted
- Voting history for last five county-wide elections

### **Products and Prices**

Prices are available on the Voter Request Form.

### **Permissible Uses and Limitations**

The data files we provide shall be used solely for election, political, scholarly, journalistic or governmental purposes. Permissible uses of our voter data include, but are not limited to, the following:

- Using registration information for purposes of communicating with voters in connection with any election.
- Sending communications, including, but not limited to, mailings which campaign for or against any candidate or ballot measure in any election.
- Sending communications, including but not limited to, mailings by or on behalf of any
  political party; provided, however, that the content of such communications shall be
  devoted to news and opinions of candidates, elections, political party developments
  and related matters.
- Sending communications, including but not limited to, mailings, incidental to the circulation or support of, or opposition to any recall, initiative, or referendum petition.
- Sending newsletters or bulletins by any elected public official, political party, or candidate for public office.

- Conducting any survey of voters in connection with any election campaign.
- Conducting any survey of voter opinions by any governmental agency, political party, elected official or political candidate, for election or governmental purposes.
- Conducting an audit of any voter registration list for the purpose of detecting voter registration fraud.
- Soliciting contributions or services as part of any election campaign on behalf of any candidate for public office or any political party or to support or oppose to any ballot measure.
- Any official use by any local, state, or federal governmental agency.

### AMADOR COUNTY CLERK/RECORDER & REGISTRAR OF VOTERS

KIMBERLY L. GRADY 810 Court Street Jackson, California 95642-2132 Phone (209) 223-6465 elections@amadorgov.org



### TO APPLY TO PURCHASE AMADOR COUNTY VOTER FILE INFORMATION:

You must be eligible to receive voter files by agreeing to use it only for Election, Scholarly, Political, Journalistic or Governmental purposes (Election Code §2188, 2194)

### To purchase you must:

- Completely fill out the Request for Voter File Form
- Enclose a copy of your driver's license or other government ID
- If the application is on behalf of a person other than the applicant, enclose a written statement, on letterhead, authorizing the applicant to obtain the voter information
- Payment in full made payable to: AMADOR COUNTY ELECTIONS
   \$100.00 for County-wide file, \$50.00 each District, \$50.00 for each VBM return date run.

What is Available:

Price:

Current voter file of all Amador County voters, cities, precincts, and districts

The File will contain:

First Name/Last Name Residence and mailing address

Precinct number Birth date and birth place

Date of Registration Permanent Vote-By-Mail voter status

Political Party Date last voted

Voting history for countywide elections from the last 5 statewide elections.

(Voting history from other elections available upon request)

A Vote-By-Mail file is available for the current election containing the date

the VBM was mailed to the voter and when it was received by the Elections Office.

### Permissive and Non-Permissive Access to Voter Registration

(Election Code § 2187, 2188, 2194; Government Code § 6254.4)

Persons who have access to ALL VOTER INFORMATION include those who are using the information for the following:

**Election Purposes:** Voter registration information is available to anyone wishing to communicate with voters in connection with a specific candidate or campaign, wishing to run a phone bank, or walk precincts, etc.

**Scholarly Purposes:** Students working on a thesis, professors researching voting patterns and other academics involved in research.

**Journalistic Purposes:** Members of the press are permitted access.

**Political Purposes**: For example: persons wishing to communicate with voters concerning legislation, vendors who provide information only to candidates, ballot measure committees, political parties and persons or organizations communicating with the voters about political issues whether or not this use is in conjunction with a specific election.

**Governmental Purposes**: For example: the Jury Commissioner, District Attorney, Public Defender or other public government agency.

Examples of persons who DO NOT have access to voter registration information:

- Any communication or other use solely or partially for any commercial purpose
- Solicitation of contributions or services for any purpose other than on behalf of a candidate or political party or in support of or opposition to ballot measure.
- Persons seeking to locate voter for non-governmental reasons.

OFFICE OF

### REGISTRAR OF VOTERS - KIMBERLY L. GRADY

810 Court Street Jackson, CA 95642-2132 (209) 223-6465

ELECTIONS@AMADORGOV.ORG



Full Name of Person Requesting Data	Name of Organization or Committee
Fitle or Position	Email Address
the of Fosition	Elliali Address
Address	Phone Number
City State Zip	FTP Site Address
4	
Use of Information What type of organization or Committee	e do you represent?
Election Scholarly Journalistic Po	olitical Governmental Other
Name of Candidate or Campaign	
Intended use of this information	
AGREEMENT:	
All information is subject to verification. The applicant ag	rees that all files will be used ONLY FOR ELECTION, SCHOLARLY,
	S, as defined by Title 2, Division7, Article1 of the California Code of
Regulations, Elections Code 2194 and Government Code 6	
	ase, loan or deliver possession of any type of registration infor-
Office.	eiving written authorization from the Amador County Election
VIOLATION OF THESE PROVISIONS IS A MISDEMEANOR. E	Flections code 18109
VIOLATION OF THESE THOUSING IS A MISSELFIELD IN S	Hethoris code 19193
Signature of Application or Agent	Date
Signature of Application of Agent	Dute

Information Requested		Qty	Price Per File	Subtotal
Voter Registration Data electronic only				
Data File with <u>All</u> Amador County Voters				
One file with voting history for 5 elections			\$100.00	
Elections:				
Two files with voting history for all election	S			
Voter Registration Data electronic only				
Data file for any one district, 5 election history, no	ot county wide		\$50.00	
Vote By Mail Data electronic only				
Data file with all Amador County voters mail	ed a ballot		\$50.00	
Daily Vote By Mail mailing updates including date b	pallot was		\$30.00	
returned * If multiple dates are requested attach a schedul	le to application	*	Per date	
Precinct/ district file electronic only				
			No Charge	
In-office voter information lookup			No Charge	
Paper Print-out (Limited Usability)			Data cost and	
☐ With phone numbers <u>or</u> ☐ Last Primary v	roted		5¢ per page	
Statement of the Vote electronic only			No Charge	
Please make checks payable to Amador County Elections	S			
Cash or check only			Total	
	FOR OFFICE USE C	NLY		
Secure FTP Secure email	Ship To			
CD Mailed (2.00) CD pick-up (1.00)	<u>'</u>			
	Address			
Other:				
	Address			
	City	St	ate Z	Zip Code

### Campaign Signs

Every campaign season, our office receives a number of calls from property owners complaining of uninvited campaign signs being placed on private property. The Following is the California Penal Code provisions that prohibit such placements on private property without the owner's prior consent (Section 556.1) and likewise on property owned by the state, county or city (Section 556). Section 556.1 states:

"It is a misdemeanor for any person to place or maintain or cause to be placed or maintained upon any property in which he has no estate or right of possession any sign, picture, transparency, advertisement, or mechanical device which is used for the purpose of advertising, or which advertises or brings to notice any person, article of merchandise, business or profession, or anything that is to be or has been sold, bartered, or given away, without the consent of the owner, lessee, or person in lawful possession of such property before such sign, picture, transparency, advertisement, or mechanical device is placed upon the property."

### STATE OF CALIFORNIA-BUSINESS, TRANSPORTATION AND HOUSING AGENCY JERRY BROWN, Governor

### **DEPARTMENT OF TRANSPORTATION**

DIVISION OF TRAFFIC OPERATIONS OUTDOOR ADVERTISING BRANCH

Dear Candidate or Committee Member:

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

Section 5405.3 of the State Outdoor Advertising Act (California Business & Professions Code §5200) exempts the placing of temporary political signs from normal outdoor advertising display requirements.

A temporary political sign meets the following criteria:

- A. Encourages a particular vote in a scheduled election.
- B. Is placed not sooner than 90 days prior to the schedule election and is removed within 10 days after that election.
- C. Is no larger than 32 square feet.
- D. Has had a Statement of Responsibility filed with the department certifying a person who will be responsible for removing the sign (attached).

A completed Statement of Responsibility must be submitted to the appropriate district office according to the county location of the temporary political sign(s).

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

State law directs the Department of Transportation to remove unauthorized temporary political signs and bill the responsible party for their removal. We are calling these provisions to your attention to avoid possible embarrassment to you and your supporters. Please pass this information along to those assisting in your campaign.

If you have any questions, feel free to contact us at the Outdoor Advertising Office.

### Department of Transportation, District 10

Division of Traffic Operations
Bay Area Outdoor Advertising Program P.O. Box 942874, MS-36
Sacramento, CA 94274-0001
(916) 654-4551 or (916) 654-6473
oda@dot.ca.gov

### Voter Registration Information

### Registration Deadline for this Election

To vote in any election, a citizen must be properly registered **15 calendar days** prior to the election date. Amador County Elections Office encourages all voters to be properly registered well before that 15-calendar-day deadline to ensure enough time for our office to complete postal delivery of correct and complete election materials prior to an election.

Voters may register online by visiting our website at www.amador.vote or the Secretary of State's at http://registertovote.ca.gov/.

For the November 3, 2020 election, voters must be registered at their current residential address on or before Monday, October 19, 2020.

### For Your Information

In order to remain eligible to vote, voters must re-register following these events:

- Change of residential address
- Change of name (first, middle or last name) and/or signature
- Change of political party affiliation

Postage-paid voter registration forms are available at these locations:

- U.S. Post Offices
- Public libraries
- City Halls
- Department of Motor Vehicles offices
- Amador County Elections Office

To be eligible to register to vote in California, a person must be:

- A citizen of the United States and a resident of California.
- At least 18 years of age by Election Day.
- Not in prison or on parole for the conviction of a felony.

**Conditional Voter Registration** is a new safety net for Californians who miss the deadline to register to vote or update their voter registration information for an election. If you visit one of our three Vote Centers, there is still an opportunity to cast a ballot by completing the conditional voter registration process.

### **Election Observing and Reporting**

### **Election Observing**

The Elections Office has procedures and protocols in place for accommodating and managing election observers at vote centers. It is important that such activities at the vote centers are organized, and hasslefree for both the voters and the Election Officers.

- Observers are welcome to watch all proceedings at the vote centers, including Election Officers while opening up the polls, citizens preparing to vote, and, more commonly, to observe the closing activities.
- Observers have the right to pose questions. Procedural queries should be directed to the Vote Center Manager, or in the Manager's absence, to the Election Officer in charge.
- Observers may not go into an occupied voting booth and may not approach voters during the voting process. Observers may talk to voters outside the vote center, beyond the no electioneering 100 foot zone.
- Observers may not directly challenge a voter's eligibility to cast a ballot. Election Officers hold the sole authority to do so. (EC§14240)
- Observers may not interfere in any way with the voting process.

### Procedure for Posting List of Voters at the Polling Place (EC§14202)

Elections law specifies procedures for the posting of the street index of voters at each polling place. This information is provided to assist candidates and campaign workers on Election Day when seeking voter information. Candidates and members of their election campaign team should be aware of the following procedures and should not interfere with or request the Election Officers to handle additional tasks on behalf of your campaign:

### Viewing of Street Index of Voters

Street index can be viewed electronically on a laptop at any vote center. The street index updates in real time through a live connection to the county voter registration database.

### Election Results: Semi-Official and Official Canvass

The semi-official canvass will commence immediately upon the close of the polls at 8:00 p.m., November 3, 2020. (*EC§15150*) Votes are extracted and cumulated at the secure, central counting location within the Elections Office at 810 Court St, Jackson, CA 95642. Generally, the election night results will be released as follows:

- (a) Vote by Mail ballots only
- (b) All mail ballot precinct results
- (c) Vote center results

### Final Official Canvass

The purpose of the Official Canvass is to thoroughly audit, account for, and validate every ballot and vote cast in the election, so that the Elections Official may derive and certify the final vote counts. This process tests the accuracy and validity of partial vote counts derived in the Semi-Official Canvass, and goes beyond those preliminary processes to validate and count additional Vote by Mail ballots, provisional ballots and write-in votes, and to account for unused and damaged paper ballots.

During the Official Canvass, any interested person may observe the Elections Office's procedures. To arrange to be an observer, please call 209-223-6465 or visit the office at 810 Court Street in Jackson, during normal business hours (Monday – Friday, 8:00 a.m. - 5:00 p.m.).

### **Election Certification**

Official results must be certified by the County Elections Official no later than 28 calendar days following the election (December 1, 2020). A certified "Statement of the Vote" will be available on our website.

### View the results as they are posted on our website at: www.amador.vote