

2016

# Stanislaus County Initiatives & Referendums

OFFICE OF COUNTY CLERK /  
RECORDER / REGISTRAR OF VOTERS  
ELECTIONS DIVISION

LEE LUNDRIGAN  
County Clerk / Recorder / Registrar of Voters /  
Commissioner of Civil Marriage

Elections: 1021 "I" Street, Suite 101,  
Modesto, CA 95354  
Telephone: 209.525.5200  
Facsimile: 209.525.5802



**COUNTY CLERK / RECORDER / REGISTRAR OF VOTERS**  
**Candidate Services Unit**  
**Initiative and Referendum Guide**

---

**A GUIDE FOR COUNTY, CITIES, SCHOOL DISTRICTS AND SPECIAL DISTRICTS**



Lee Lundrigan  
County Clerk / Recorder / Registrar of Voters  
1021 "I" Street, Suite 101  
Modesto, California 95354  
Phone (209) 525-5200 • Fax (209) 525-5802

Updated August 29, 2016

## DISCLAIMER

---

This Initiative and Referendum Guide was developed in an effort to provide general information to assist County, Cities, School Districts and Special Districts. It is for general information only and does not have the force and effect of law, regulation or rule. In the case of conflict, the law, regulation or rule will apply. It is distributed with the understanding that the County Clerk / Recorder / Registrar of Voters is not rendering legal advice and, therefore, this guide is not to be a substitute for legal counsel. Persons using this guide must bear full responsibility to make their own determinations as to all legal standards and duties. It is recommended that you review this guide carefully and follow the laws. If you have any questions, please contact the Candidate Services Division at (209) 525-5237 for assistance.



# Table of Contents

<b>SECTION 1—INTRODUCTION</b> .....	1
What is a Measure?.....	1
Types of Measures .....	1
Initiative.....	1
Referendum .....	1
Qualify for Ballot .....	1
Contact Information.....	2
Applicable Election Codes .....	2
<b>SECTION 2—INITIATIVES</b> .....	3
Correct Process Chart .....	3
Citizen Requirements .....	3
Initiative Process .....	4
Referendums.....	7
<b>SECTION 3—PETITION CIRCULATION AND FORMAT</b> .....	8
File of Notice of Intention .....	8
Initiatives Only .....	8
Ballot Title and Summary by County Counsel .....	8
Publication .....	8
File Proof of Publication .....	8
Format and Circulation of the Petition .....	8
Who May Sign the Petition?.....	9
Withdrawn Signatures .....	10
Reports Ordered During Circulation.....	10
Signature Requirements for County Initiatives and Referendums .....	10
Signature Requirements for Special Districts.....	11
Tips on Signature Gathering .....	11
Deadline to File the Petition .....	11
Verification of Signatures .....	12
Examination and Retention of the Petition .....	12
<b>SECTION 4—INITIATIVE/REFERENDUM GOES TO ELECTION</b> .....	13
Calendar.....	13
Arguments, Rebuttals, Analyses.....	13
Conflicting Measures.....	13
Enacting Clause.....	13

Assigning a Letter .....	13
Board Action .....	13
Ballot Question .....	14
Form of Ballot Question.....	14
Analysis.....	14
How to Raise or Spend Money FPPC .....	14
<b>SECTION 5—RESOURCES</b> .....	<b>15</b>
Initiative Flowchart.....	16
Referendum Flowchart .....	17
Initiative Information Sheet .....	18
Word Count.....	20
Notice of Intention to Circulate Petition .....	21
Proponent Statement of Acknowledgement.....	22
Petition Format .....	23
Circulator Statement of Acknowledgement.....	24
Resolution Titles .....	25
Notice to the Registrar of Voters from Governing Body.....	26
Tips Regarding Petition Signers and Circulators.....	27

## INTRODUCTION

### What is a Measure?

In general, a measure is any constitutional amendment or other proposition submitted to a popular vote at any election. A county measure includes any proposed new or amendment to a county law, a proposition for the issuance of a bond, or any other question or proposition submitted to the voters of a county or district.

People often use the term measure interchangeably to refer to different types of measures. Typically, an initiative or referendum becomes a measure after the petition qualifies for the ballot.

### Types of Measures

- Initiatives
- Referendums
- School Bonds
- Special District Bonds

### Initiative

An initiative is the power of the voters to **propose a new law or to change an existing ordinance**. Generally, you propose an initiative to bring an issue to the voters. An initiative qualifies for the ballot when you submit a sufficient petition to the Registrar of Voters (ROV.)

### Referendum

You can challenge a law already approved, **but not yet effective**, by using a referendum. A referendum qualifies for the ballot when you submit a sufficient petition to protest the adoption of the law and the governing body chooses not to reconsider all or part of the law. If the governing body does not entirely repeal the law, the governing body sends it to a vote.

### Qualify for Ballot

Initiatives and Referendums qualify for the ballot through **submission of a petition** signed by a designated percentage of the electorate. This guide describes the general process you can use to place an initiative or referendum on the ballot.

**Contact Information**

The **Registrar of Voters (ROV)** is the elections official for countywide initiatives and referendums. See the front cover of this document for contact information.

The **District Elections Official** of the special district is the contact person for questions about the circulation and filing of an initiative petition in that district. Contact the elections official of the appropriate special district.

The **City Clerk** is the elections official in the case of a city initiative or referendum. There are nine incorporated cities in Stanislaus County. Contact the City Clerk for initiatives or referendums involving the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford. Specific information regarding requirements and deadlines should be obtained from the particular city office involved.

**Applicable Election Codes**

ENTITY	INITIATIVES	REFERENDUMS	BONDS
County	EC 9100-9126	EC 9140-9147	EC 9400-9405
City	EC 9200-9226	EC 9235-9247	EC 9400-9405
Special District	EC 9300-9232	EC 9340-9342	EC 9400-9405
School District	EC 9500-9509		

Section  
2

## INITIATIVES

An initiative qualifies for the ballot when a sufficient petition is presented to the Registrar of Voters (ROV). A referendum qualifies for the ballot when a sufficient petition is presented to protest the adoption of the law and the governing body chooses not to reconsider all or part of the law. If the governing body does not entirely repeal the law, the governing body sends it to a vote. Both of these types of measures qualify for the ballot by submitting a petition signed by a percentage of the registered voters. The chart below determines the correct process for your issue:

SITUATION	INITIATIVE	REFERENDUM
Change a law that is already in place and in effect	YES	NO
Propose a new law	YES	NO
Challenge a law that has passed but is <b>not yet effective</b>	NO	YES
Requires a public Notice of Intention	YES	NO
Requires a sufficient petition	YES	YES
Petition must be circulated, deemed sufficient, and presented to the BOS before the effective date	N/A	YES*
Governing body wants to place an issue before the voters—petition not required	YES (Petition is not Required)	NO

\* You must complete the referendum process within a very short time frame. That is why there are no requirements to file or publish notices of intention, or obtain input from the Elections Official. It is suggested that you obtain legal counsel to check the deadlines and laws about the referendum process. Most laws are effective 30 days after the date of final passage. See EC 9141 for those laws that become effective immediately.

### Citizen Requirements

If you want to circulate an initiative petition, you should contact private legal counsel to advise you through the many steps involved in the petition process. There are costs involved with the petition process such as, but not limited to, the filing fees, legal notice costs, and petition printing. Elections staff **cannot** help proponents with developing the contents of their proposed law or getting signatures for the petitions. However, Elections staff is available to assist you with developing a calendar specific to your issue and some petition formatting.



## INITIATIVE PROCESS

### 1. The Resolution to Call the Election and Consolidate

- **County**—Submit a “Resolution Requesting Consolidation of Election and Ordering of Such Election.”
- **Districts and Cities**—Submit a “Resolution Requesting Consolidation of Election and Ordering of such Election” along with the “Notice to County Clerk of Measure Submitted to the Voters.”
- **Schools**—Submit the “Resolution Ordering Election, Specifications of the Election Order, and Requesting Consolidation” along with the “Notice to County Clerk of Measure Submitted to the Voters.”

### 2. Measure Text

- When submitting materials to place a measure on the ballot, indicate clearly the measure wording by placing a box around the entire question you wish to appear on the official ballot. Also state in writing which portion of the resolution or ordinance is to be printed in the Sample Ballot Pamphlet.
- If you do not want any measure text printed in the Sample Ballot Pamphlet, provide this direction in writing within the resolution. In this case, instead of measure text, before the analysis of the measure, voters will be directed to contact the Elections Department for a copy of the proposed measure. Jurisdictions will be billed for costs.

### 3. Notice of Intent to Circulate Petition and Filing Publication

- Before circulating any initiative petition in a county, or any petition relating to the annexation of territory by a county, the consolidation of counties, or the dissolution of a county, its proponents shall file with the county elections official a notice of intention to do so. The notice shall include the names and business or residence addresses of at least one but not more than five proponents of the petition, and shall be accompanied by the written text of the initiative and a request that a ballot title and summary be prepared.
- Any person filing a notice of intent with the county elections official shall pay a fee to be established by the Board of Supervisors not to exceed two hundred dollars (\$200.00) to be refunded to the filer if, within one year of the date of filing the notice of intent, the County Elections Official certifies the sufficiency of the petition. (EC 9103)

### 4. Form of Notice of Intention to Circulate Petition

- The notice of intention shall contain the printed name, signature, and business or residence address of at least one but not more than five proponents, and may include a printed statement, not exceeding 500 words in length, stating the reasons for the proposed petition. (EC 9104)

## 5. Title and Summary

- The Elections Official immediately transmits a copy of any proposed measure to County Counsel. County Counsel prepares a ballot title and summary not exceeding 500 words. (EC 9105(a)) The County Registrar of Voters furnishes a copy of the ballot title and summary to the proponents. (EC 9105(b))

## 6. Appeal

- Any elector of the County may seek a writ of mandate requiring the ballot title or summary to be amended. (EC 9106)

## 7. Publication

- Proponent publishes for one day the Notice of Intention and the ballot title and summary in a newspaper of general circulation. (EC 9105(b))

## 8. File Proof

- Proponent files proof of publication with the County Registrar of Voters. (EC 9105(b))

## 9. Circulation

- Proponents may begin to circulate the petitions for voter signatures after publication of the title and summary. Each section of the petition shall include a copy of the Notice of Intention, ballot title and summary. (EC 9108) Proponents have 180 days from the receipt of the title and summary to circulate the petitions. (EC 9110)

## 10. Reports Ordered

- During the circulation of the petition, the Board of Supervisors may refer the proposed initiative to any County agency for a report. The report shall be presented to the Board no later than 30 days after the County Registrar of Voters certifies the sufficiency of the petition. (EC 9111)

## 11. Signature Requirement—If proponents collect:

- **10% of the entire vote cast** in the County for all candidates for Governor in the last election – then the Board of Supervisors shall either:
  - Adopt the ordinance without alteration at the meeting at which certification is presented or within 10 days after it is presented; or
  - Place the measure on the ballot at the next statewide election occurring not less than 88 days after the date of the order unless the ordinance petitioned for is required to be, or for some reason is, submitted to the voters at a special election pursuant to (EC 1405(a)); or
  - Order a report pursuant to EC 9111 and once the report is presented the Board shall either adopt the ordinance within 10 days or order an election. (EC 9118)

- **20% of the entire vote cast** in the County for all candidates for Governor in the last election and the **petition contains a request** that the ordinance be submitted immediately to a vote of the people at a special election, then the Board shall either:
  - Adopt the ordinance without alteration;
  - Call a special election within 88 and 103 days (if a regular election will be held within 180 days, the measure may be consolidated with that regular election (EC 1405, 9116); or
  - Order a report pursuant to EC 9111 and once the report is presented the Board shall either adopt the ordinance within 10 days or order an election. (EC 9116)
  
- **5% of the entire vote cast** in the County for all candidates for Governor in the last election for Proposition 218 measures affecting taxes, assessments or fees may be submitted to Secretary of State. (California Constitution Art. II, Sections 8(b) & 11)

## 12. Verification of Signatures

- Within 30 days from the date of filing of the petition, excluding weekends and holidays, the elections official shall verify signatures. If the petition is found insufficient, no action shall be taken. If the petition is found to be sufficient, the election official shall certify the results to the Board of Supervisors at the next regular meeting. (EC 9115) The jurisdiction affected by the petition will be responsible for the cost of petition set-up and signature checking.

## 13. Enactment of Ordinance

- Ordinances are passed with a majority vote of the voters and shall be considered adopted upon the date the vote is declared by the Board of Supervisors. The ordinance shall go into effect 10 days after that date. (EC 9122)

## REFERENDUMS

### Do Not Require a Notice of Intention

You would pursue a referendum if the governing body already passed a law but **the law is not yet effective**. The ROV must certify a sufficient petition and present it to the governing body *prior to the effective date of the law, which is usually 30 days after the law has passed*. The petition process for referendums is the same as initiatives with the exception of filing the Notice of Intention.

Referendums are truly a process of the people. It is advised that proponents obtain legal counsel to confirm that they are complying with the law. California Elections Code Division 9, Sections 9140 through 9147 provide the procedures for the county referendum process. All code sections referred to in this document are the Elections Code unless otherwise noted. County ordinances become effective 30 days after the date of its final passage, except:

- An ordinance calling or otherwise relating to an election;
- Those specifically required by law to take immediate effect.
- Those fixing the amount of money to be raised by taxation; or the rate of taxes to be levied.
- Those for the immediate preservation of the public peace, health, or safety.
- The ordinances referred to in this subdivision shall contain a declaration of the facts constituting the necessity and shall be passed by a four-fifths vote of the Board of Supervisors. (EC 9141)
- That portion of any ordinance that changes supervisorial salaries shall become effective 60 days from the date of its final passage. (EC 9143)

Section  
**3**

**PETITION CIRCULATION AND FORMAT**

<p><b>START HERE</b></p> <p><b>File a Notice of Intention</b></p> <p><b>Initiatives Only</b> EC 9103, 9104, 9302, 9608</p>	<p>You must file a Notice of Intention to Circulate Petition with the ROV. The notice must include:</p> <ul style="list-style-type: none"> <li>• Name and address of at least one proponent but not more than five</li> <li>• Written text of the initiative</li> <li>• Request that the ballot title and summary be prepared</li> </ul> <p>Submit to the ROV a signed Proponent Statement of Acknowledgment when you submit your Notice of Intention</p>
<p><b>Ballot Title &amp; Summary</b></p> <p><b>Preparation by County Counsel</b> EC 9105</p>	<p>Next, the ROV sends a copy of the proposed measure to County Counsel, who must return a ballot title and summary of 500 words or less for the proposed measure within 15 days. ROV sends a copy of the ballot title and summary to the proponents.</p>
<p><b>Publication</b> EC 9105, 9303</p>	<p>Publish the Notice of Intention, ballot title, and summary in a newspaper of general circulation <b>before</b> you circulate a petition.</p>
<p><b>File Proof of Publication</b> EC 9105, 9304</p>	<p>File proof of the publication with the ROV.</p>
<p><b>Format and Circulation of the Petition</b></p> <p>EC 100, 9020, 9022, 9105(c), 9106, 9108, 9109, 9301, 9302, 9305, 9307</p>	<p><b>NOW YOU ARE READY TO FORMAT YOUR PETITION</b></p> <p>The law requires that you use a specific petition format. The ROV does not have the authority to review and approve initiative petition formats. See Sample of the petition format in Section 5.</p> <p>The ballot title and summary must appear on each section of the petition above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman boldface type no smaller than 12 point.</p> <p>You must clearly separate the ballot title and summary from the text of the measure. Print the text of the measure in type no smaller than 8 point.</p>

	<p>The person soliciting signatures decides the number of signatures attached to each section.</p> <p>Consecutively number the signature spaces for each petition section, starting with number one.</p> <p>Leave a blank space of at least one inch wide at the right margin of the page after each name and address for the use of the ROV in verifying the petition.</p>
<p><b>Format Continued</b></p>	<p>A person who is a voter or who is qualified to vote in this state may circulate a petition.</p> <p>The circulator must complete and attach an affidavit to each petition section. The affidavit must be in the circulator’s own handwriting, be similar in format to the sample in Section 5 and must follow the last signature block.</p> <p><b>FORMATTING TIPS</b></p> <p>The petition can accompany any amount of signatures.          The petition can be printed on letter or legal sized paper, or larger.          The petition can be single or double sided.</p> <p>A section is a part of the larger petition. Each section must contain a declaration of the circulator, space for voter signatures, and may consist of one or many pages. If you staple the petition pages together into a single “section” during signing, <b>DO NOT REMOVE ANY OF THE STAPLES. YOU MUST SUBMIT THE PAGES TO THE ROV AS THE PETITION SIGNERS SIGNED THEM.</b></p> <p>You may circulate the petition after you have provided proof to the ROV of the publication of the Notice of Intention.</p> <p><b>NOW YOU CAN CIRCULATE THE PETITION</b></p>
<p><b>Who May Sign the Petition</b></p> <p><b>EC 100, 100.5</b></p>	<p>Only a person who is a registered voter at the time of signing the petition is entitled to sign it.</p> <p>You must ensure that each signer, at the time of signing the petition, personally affixes his or her signature, printed name, and place of residence, giving street and number, or if not available, a designation of the place of residence.</p>

	<p>If a voter is unable to personally include the required information on the petition, the voter may have another person print the voter’s name and place of residence on the appropriate spaces. The voter still must personally write his or her mark, which would substitute for the signature, and have someone witness it.</p>
<p><b>Withdrawn Signatures</b>  EC 103, 9602</p>	<p>A voter can withdraw his or her signature from a petition by filing a written request with the ROV prior to the filing day of the petition section on which the signature appears.</p>
<p><b>Reports Ordered During Circulation</b>  EC 9111</p>	<p>During circulation of the petition, the BOS may refer the proposed county initiative to any county agency for a report. The county agency must present the report to the BOS no later than 30 days after the ROV certifies the sufficiency of the petition.</p> <p>This step is applicable to countywide measures and does not apply to special districts.</p>
<p><b>Signature Requirements For County Initiatives and Referendums</b>  EC 1405, 9107, 9111, 9116, 9118</p>	<p>If proponents collect <b>10 percent of the entire vote cast or more</b> in the county for all candidates for Governor in the last gubernatorial election, then the governing body must:</p> <ol style="list-style-type: none"> <li>1. Adopt the ordinance without alteration at the meeting at which certification is presented or within 10 days after it is presented</li> <li>2. Place the measure on the ballot at the next statewide election occurring not less than 88 days after the date of the order</li> <li>3. Order a report. Once the report is presented, the BOS must either adopt the ordinance within 10 days or order an election</li> </ol> <p>To find the number of the entire vote cast for Governor at the last gubernatorial election, check the county website: <a href="http://www.stanvote.com">www.stanvote.com</a></p> <p>If proponents collect <b>20 percent of the entire vote cast</b> in the county for all candidates for Governor in the last gubernatorial election, <b>AND the petition contains a request</b> that the ordinance be immediately submitted to a vote at a special election, then the BOS must:</p> <ol style="list-style-type: none"> <li>1. Adopt the ordinance without alteration</li> <li>2. Call a special election</li> <li>3. Order a report and once the report is presented, the BOS must either adopt the ordinance within 10 days or order an election</li> </ol>

<p><b>Signature Requirements for Special Districts</b></p> <p><b>EC 9310</b></p>	<p><b>10 percent or more of registered voters in the district</b> when the total number of registered voters is less than 500,000 as of the latest Report of Registration made to Secretary of State (SOS) by Registrar of Voters (ROV) prior to the publication of the Notice of Intention.</p> <p><b>5 percent or more of registered voters in the district</b> when the total number of registered voters is more than <b>AND the petition contains a request</b> that the ordinance be immediately submitted to a vote at a special election, then the governing board must:</p> <ol style="list-style-type: none"> <li>1. Adopt the ordinance without alteration</li> <li>2. Call a special election</li> </ol> <p>To find the number of voters for a particular district, contact the Elections Department.</p>
<p><b>Tips on Signature Gathering</b></p>	<p>Petition signers must sign in their own handwriting or if she/he is unable to sign, request another person to print signer’s information, but the signer must write his mark.</p> <p>The ROV recommends obtaining an additional 50 percent of signatures above the amount required to compensate for disqualified signers for not being registered or for other reasons.</p> <p>A petition signer can register to vote at the same time they sign the petition, however, the ROV must receive the registration by the time the ROV receives the petition.</p>
<p><b>Deadline to File the Petition</b></p> <p><b>EC 9110, 9113</b></p>	<p><b>NEXT, FILE THE PETITION WITH THE ROV</b></p> <p>You must file the petition with the ROV during normal business hours within 180 days from the date of receipt of the title and summary and, if applicable, after receipt of an amended title or summary or both, whichever occurs later.</p> <p>You must file all sections of the petition at the same time. You may not amend or supplement your petition except by court order.</p> <p><b>AFTER YOU HAVE SUBMITTED THE PETITION, THE ROV HAS 30 DAYS TO DETERMINE THE SUFFICIENCY OF THE PETITION.</b></p> <p><b>THE ROV WILL NOTIFY YOU OF THE RESULTS</b></p>



<p><b>Verification of Signatures</b></p> <p><b>EC 9115, 9309</b></p> <p><b>Examination and Retention of the Petition</b></p> <p><b>EC 17200 &amp; GC 6253</b></p>	<p>Now that you have submitted the petition to the ROV, the ROV verifies the signatures on the petition. The ROV must verify every signature if there are 500 or fewer signatures on the petition.</p> <p>The ROV will use either the 100 percent or random sampling technique to verify the signatures.</p> <p>If you submit more than 500 signatures, the ROV may choose to use a random sampling, which includes verification of at least 500 or three percent of the signatures, whichever is greater. The ROV must complete generally within 30 days of the petition filing.</p> <p>The Office cannot return the petition to you if the ROV finds the petition sufficient, but you can still file a new petition on the same issue later. Those listed on the Notice of Intention and representatives designated in writing may review the petition signatures within 21 days of certification in the ROV's office to determine the reason for disqualified signatures. This option is not available to the public or to those not listed on the Notice of Intention.</p> <p>If the petition is sufficient, the ROV must certify the results at the next BOS meeting. Proponents and members of the public may not examine the petition if the ROV determines it to be sufficient.</p> <p>The ROV must retain petitions for eight months after the election for which the petition qualifies. If there is no election, the Office retains the petition for eight months after the ROV's final exam of the petition.</p>

## Section

## 4

## IF THE INITIATIVE / REFERENDUM GOES TO ELECTION

### **Calendar**

The County Elections official will develop a calendar for the election.

### **Arguments, Rebuttals, Analyses**

Refer to the Measures Guide prepared by the Stanislaus County Elections Department. This guide provides deadlines and outlines procedures for filing arguments, rebuttals, and analyses for county measures. Article 3 (commencing with EC 9160) shall govern the procedures for submitting arguments for county initiatives. (EC 9120)

### **Conflicting Measures**

If the provisions of two or more ordinances adopted at the same election conflict, the ordinance receiving the highest number of affirmative votes shall control. (EC 9123)

### **Enacting Clause**

The enacting clause of an ordinance submitted to the voters of a county shall be substantially in the following form: “The people of the County of Stanislaus ordain as follows.” (EC 9124)

### **Assigning a Letter**

The Registrar of Voters in accordance with Section 13116 of the Elections Code will assign a letter designation for each measure on the ballot. Letter designations are assigned in alphabetical order in the order submitted. The letter designation will be printed on the left margin of the square containing the abbreviated statement, commencing with the next letter available and continuing in alphabetical order, one letter for each of the measures appearing on the ballot.

### **Board Action**

The Board of Supervisors will adopt a resolution calling the election and consolidating it with other elections being conducted in the same jurisdiction on the same day. (EC 10400, 10401) The resolution will include the 75-word ballot question that is printed on the ballot.

## Ballot Question

The statement of all measures submitted to the voters shall be abbreviated on the ballot. The statement shall contain not more than 75 words of each measure to be voted on, followed by the words, “Yes” and “No” (EC 13247)

## Form of Ballot Question

The ballots used when voting upon a proposed county, city or district ordinance as an initiative measure shall have printed on them the words “Shall the ordinance (stating the nature thereof) be adopted?”

Opposite the statement of the ordinance to be voted on, and to its right the words “Yes” and “No” shall be printed on separate lines, with voting squares. If the measure is a school bond then the words would “Bond Yes and “Bond No”. (Education Code 15122) A “Yes” vote is in favor of the adoption of the ordinance; a “No” vote shall be counted against its adoption. (EC 13119) For County issued bonds consult Government Code 29903.

## Analysis

The County Counsel shall prepare a 500-word or less impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. The County Auditor may prepare a fiscal analysis of the effect on county revenues or expenditures. (EC 9160)

## HOW TO RAISE OR SPEND MONEY

STEP	TO ACCOMPLISH
<b>FIRST</b>	Contact Candidate Services Division of the Elections Office at 209-525-5237 to obtain a copy of the current Candidate Guide for information on Fair Political Practices Commission or go online at: <a href="http://www.fppc.ca.gov">www.fppc.ca.gov</a>
<b>SECOND</b>	File a 410 – Statement of Organization - with the County Elections Official. Any person who receives contributions totaling \$2,000 or more within a calendar year qualifies as a recipient committee and - within 10 days of qualifying - must file a Form 410 with the Secretary of State and the county. A Form 410 may be filed prior to qualifying. Upon receipt of the 410, the Secretary of State will issue an identification number, which must be included on all campaign disclosure forms.
<b>THIRD</b>	Be prepared to file 460 (long form) or 450 (short form) Pre-Election Statements and Semi-Annual statements. These reports detailing your committee’s contributions and expenditures are filed at specified times prior to and following the election. There are also various special reports that must be filed to amend forms or to provide supplemental information. Know the deadlines and the type of forms you must file. County elections officials will provide you with a calendar. For technical advice on completing the forms, call the Fair Political Practices Commission at 1-866-275-3772 (1-866-ASK-FPPC); FAX: 916-322-0886; or visit their website at <a href="http://www.fppc.ca.gov">www.fppc.ca.gov</a>
<b>FOURTH</b>	File Forms 410 and 460 to terminate the committee upon completion of your initiative efforts.

Section

5

## **RESOURCES**

**Initiative Flowchart**

**Referendum Flowchart**

**Initiative Information Sheet**

**Word Count**

**Notice of Intention to Circulate Petition**

**Proponent Statement of Acknowledgement**

**Petition Format**

**Circulator Statement of Acknowledgement**

**Resolution Titles**

**Notice to the Registrar of Voters from Governing Body**

**Tips Regarding Petition Signers and Circulators**

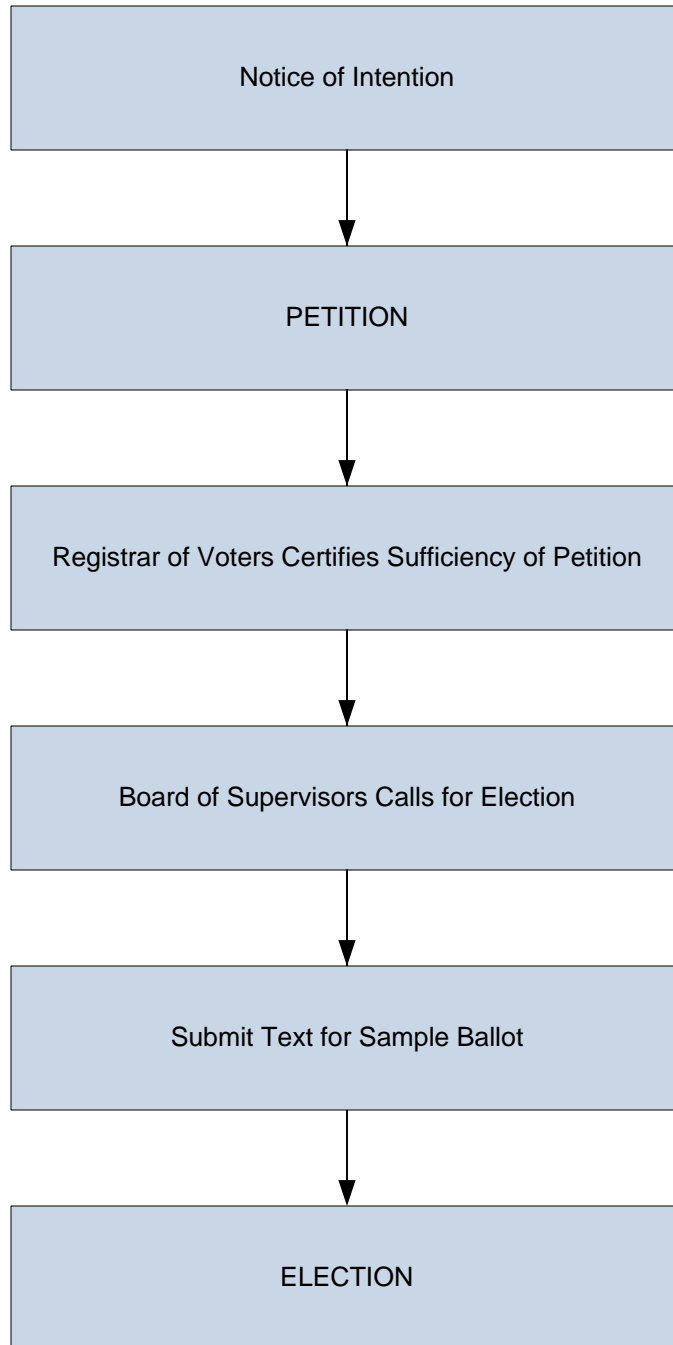


# Stanislaus County Registrar of Voters Initiative Process

## Initiatives Do Require a Notice of Intention

An initiative is the power of the voters to propose a new law or to change an existing ordinance

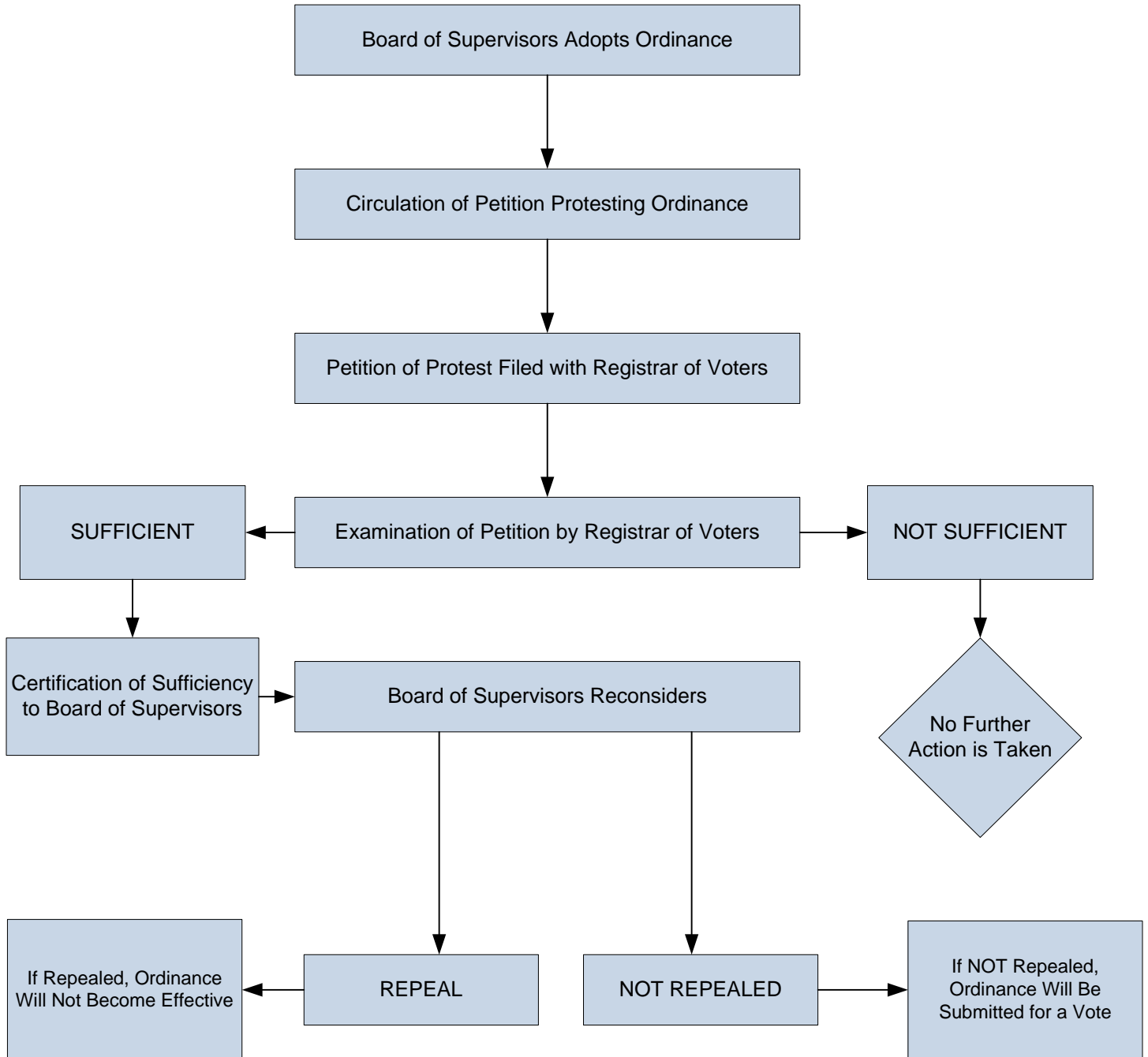
If you want to circulate an initiative petition, you should contact private legal counsel to advise you through the many steps involved in the petition process. There are costs involved with the petition process such as, but not limited to, the filing fees, legal notice costs, and petition printing. Elections staff **cannot** help proponents with developing the contents of their proposed law or getting signatures for the petitions. However, Elections staff is available to assist you with developing a calendar specific to your issue and some petition formatting.



## Stanislaus County Registrar of Voters Referendum Process

### Referendums Do Not Require a Notice of Intention

A referendum is pursued if the governing body has already passed a law but the law is not yet effective. The Registrar of Voters must certify a sufficient petition and present it to the governing body prior to the effective date of the law, which is usually 30 days after the law has passed. The petition process for referendums is the same as initiatives with the exception of filing the Notice of Intention.



## Stanislaus County Registrar of Voters—Initiative Information Sheet

### 1. The Resolution to Call the Election and Consolidate

- **Districts and Cities**—Submit a “Resolution Requesting Consolidation of Election and Ordering of such Election” along with the “Notice to County Clerk of Measure Submitted to the Voters.”
- **County**—Submit a “Resolution Requesting Consolidation of Election and Ordering of Such Election.”
- **Schools**—Submit the “Resolution Ordering Election, Specifications of the Election Order, and Requesting Consolidation” along with the “Notice to County Clerk of Measure Submitted to the Voters.”

### 2. Measure Text

- When submitting materials to place a measure on the ballot, indicate clearly the measure wording by placing a box around the entire question you wish to appear on the official ballot. Also state in writing, which portion of the resolution or ordinance is to be printed in the Sample Ballot Pamphlet.
- If you do not want any measure text printed in the Sample Ballot Pamphlet, provide this direction in writing within the resolution. In this case, instead of measure text, before the analysis of the measure, voters will be directed to contact the Elections Department for a copy of the proposed measure. Jurisdictions will be billed for costs.

### 3. Notice of Intent to Circulate Petition and Filing Publication

- Before circulating any initiative petition in a county, or any petition relating to the annexation of territory by a county, the consolidation of counties, or the dissolution of a county, its proponents shall file with the county elections official a notice of intention to do so. The notice shall include the names and business or residence addresses of at least one but not more than five proponents of the petition, and shall be accompanied by the written text of the initiative and a request that a ballot title and summary be prepared.
- Any person filing a notice of intent with the county elections official shall pay a fee to be established by the Board of Supervisors not to exceed two hundred dollars (\$200.00) to be refunded to the filer if, within one year of the date of filing the notice of intent, the County Elections Official certifies the sufficiency of the petition. (EC 9103)

### 4. Form of Notice of Intention to Circulate Petition

- The notice of intention shall contain the printed name, signature, and business or residence address of at least one but not more than five proponents, and may include a printed statement, not exceeding 500 words in length, stating the reasons for the proposed petition. (EC 9104)

### 5. Title and Summary

- The Elections Official immediately transmits a copy of any proposed measure to County Counsel. County Counsel prepares a ballot title and summary not exceeding 500 words. (EC 9105(a)) The County Registrar of Voters furnishes a copy of the ballot title and summary to the proponents. (EC 9105(b))

### 6. Appeal

- Any elector of the County may seek a writ of mandate requiring the ballot title or summary to be amended. (EC 9106)

### 7. Publication

- Proponent publishes for one day the Notice of Intention and the ballot title and summary in a newspaper of general circulation. (EC 9105(b))

### 8. File Proof

- Proponent files proof of publication with the County Registrar of Voters. (EC 9105(b))

## 9. Circulation

- Proponents may begin to circulate the petitions for voter signatures after publication of the title and summary. Each section of the petition shall include a copy of the Notice of Intention, ballot title and summary. (EC 9108) Proponents have 180 days from the receipt of the title and summary to circulate the petitions. (EC 9110)

## 10. Reports Ordered

- During the circulation of the petition, the Board of Supervisors may refer the proposed initiative to any County agency for a report. The report shall be presented to the Board no later than 30 days after the County Registrar of Voters certifies the sufficiency of the petition. (EC 9111)

## 11. Signature Requirement—If proponents collect:

- **10% of the entire vote cast** in the County for all candidates for Governor in the last election – then the Board of Supervisors shall either:
  - Adopt the ordinance without alteration at the meeting at which certification is presented or within
  - 10 days after it is presented; or
  - Place the measure on the ballot at the next statewide election occurring not less than 88 days after the date of the order unless the ordinance petitioned for is required to be, or for some reason is, submitted to the voters at a special election pursuant to (EC 1405(a)); or
  - Order a report pursuant to EC 9111 and once the report is presented the Board shall either adopt the ordinance within 10 days or order an election. (EC 9118)
- **20% of the entire vote cast** in the County for all candidates for Governor in the last election and the **petition contains a request** that the ordinance be submitted immediately to a vote of the people at a special election, then the Board shall either:
  - Adopt the ordinance without alteration;
  - Call a special election within 88 and 103 days (if a regular election will be held within 180 days, the measure may be consolidated with that regular election (EC 1405, 9116); or
  - Order a report pursuant to EC 9111 and once the report is presented the Board shall either adopt the ordinance within 10 days or order an election. (EC 9116)
- **5% of the entire vote cast** in the County for all candidates for Governor in the last election for Proposition 218 measures affecting taxes, assessments or fees may be submitted to Secretary of State. (California Constitution Art. II, Sections 8(b) & 11)

## 12. Verification of Signatures

- Within 30 days from the date of filing of the petition, excluding weekends and holidays, the elections official shall verify signatures. If the petition is found insufficient, no action shall be taken. If the petition is found to be sufficient, the election official shall certify the results to the Board of Supervisors at the next regular meeting. (EC 9115) The jurisdiction affected by the petition will be responsible for the cost of petition set-up and signature checking.

## 13. Enactment of Ordinance

- Ordinances are passed with a majority vote of the voters and shall be considered adopted upon the date the vote is declared by the Board of Supervisors. The ordinance shall go into effect 10 days after that date. (EC 9122)





## WORD COUNT

### Elections Code Chapter 1, General Provisions, Section 9

TYPE	EXPLANATION AND EXAMPLES	WORD COUNT
<b>ABBREVIATIONS AND ACRONYMS</b>	Example: MJC, PTA, MPD, UCLA,	One word
<b>DATES</b>	<ul style="list-style-type: none"> <li>• July 21, 2016</li> <li>• 21 July, 2016</li> <li>• 7/21</li> <li>• 7/21/16</li> </ul>	One word One word One word One word
<b>DICTIONARY WORDS</b>	Example: "I", "a", "the", "and", "an"	Counted as individual words
<b>E-MAIL ADDRESSES</b>	<a href="mailto:hallm@stancounty.com">hallm@stancounty.com</a>	One word
<b>GEOGRAPHICAL NAMES / PROPER NOUNS</b>	Geographical names and names of persons or things. Only State of California, City, County, District names. Examples: City of Modesto, County of Stanislaus, Turlock Unified School District, Sam Hunt	One word
<b>HYPHENATED WORDS</b>	Words that appear in any generally available standard dictionary published in the U.S. at any time within the last 10 calendar years preceding the election. Examples: Attorney-at-law, mother-in-law	One word
<b>HYPHENATED WORDS</b>	Words that do <u>not</u> appear in a standard dictionary published in the past 10 years such as: taxpayer-advocate	Two words
<b>INTERNET WEB SITES</b>	<a href="http://www.stanvote.com/">http://www.stanvote.com/</a>	One word
<b>MONETARY AMOUNTS</b>	Combination of digits. Example: \$1,000.00	One word
<b>MONETARY AMOUNTS</b>	Combination of words and digits. Example: \$4 million	Two words
<b>NUMBERS AND NUMERIC COMBINATIONS</b>	<ul style="list-style-type: none"> <li>• 2016</li> <li>• 12½</li> <li>• 2016-17</li> <li>• 50%</li> <li>• 8/23/16</li> <li>• 1, 5, 10, 100</li> </ul>	One word One word One word One word One word One word
<b>NUMBERS OR LETTERS USED TO IDENTIFY A PORTION OF TEXT</b>	Example: (1) or (a)	One word
<b>NUMBERS SPELLED OUT</b>	One, ten, one hundred	One for each word
<b>PUNCTUATION MARKS</b>	Comma, period, question mark	Not Counted
<b>SYMBOLS / CHARACTERS</b>	"&" (and), and "#" (number/pound) are not considered punctuation	One word
<b>TELEPHONE / FAX NUMBERS</b>	Example: 1-800-474-6612 or 1-310-462-2315	One word
<b>TITLES</b>	Friends of Measure A	Four words

**NOTICE OF INTENTION TO CIRCULATE PETITION**  
**SAMPLE**

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the (Enter Stanislaus County or Special District) for the purpose of qualifying for the ballot an initiative measure entitled\_\_\_\_\_.

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

*(reasons for initiative - not exceeding 500 words – optional)*

\_\_\_\_\_  
(Signature of Proponent)

\_\_\_\_\_  
(Business or Residence Address)

\_\_\_\_\_  
(City/State/Zip Code)

\* The Notice of Intention must be signed by at least one but not more than five proponents of the petition.

**The Notice of Intention must include:**

1. The written text of the measure;
2. A request for a ballot title and summary prepared by County Counsel for countywide measures;
3. Payment of \$200 fee; and
4. A Statement of Acknowledgement.

**PROPONENT STATEMENT OF  
ACKNOWLEDGEMENT**  
**SAMPLE**

I, \_\_\_\_\_ acknowledge that it is a misdemeanor under State Law (California Elections Code section 18650) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot.

I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

\_\_\_\_\_  
(Signature of Proponent)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

**PETITION FORMAT SAMPLE**  
**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**  
 (Insert Ballot Title and Summary of Measure in at least 12-point bold type)  
 (Notice of Intention to Circulate Petition)

The Ballot Title and Summary shall appear upon each section of the petition above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman boldface type not smaller than 12-point.

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the County of Stanislaus for the purpose of (insert purpose of measure). A statement of the reasons of the proposed action as contemplated in the petition is as follows: A 500-word statement outlining the reasons for the proposed petition may be printed here. The statement is optional. The notice shall contain the printed name, signature, and business or residence address of at least one, but not more than five, proponents. EC 9104. To print on the petition, format the signature as "Surname, Address, City, State, Zip". Each section of the petition shall bear a copy of the notice of intention. EC 9108. If it is on the front side, it may be omitted on the back. The law does not specify the type size for the Notice of Intent, but it should be not less than 8-point.

**NOTICE TO THE PUBLIC**

Print in 12-point type, prior to the portion for voters' signatures. EC101.

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

1	Print Your Name _____	Residence Address Only _____	
	Your Signature as Registered to Vote _____		
2	Print Your Name _____	Residence Address Only _____	
	Your Signature as Registered to Vote _____		
3	Print Your Name _____	Residence Address Only _____	
	Your Signature as Registered to Vote _____		
4	Print Your Name _____	Residence Address Only _____	
	Your Signature as Registered to Vote _____		

Each petition section shall have attached to it an affidavit to be completed by the circular. EC 104, 9101. This declaration below may be omitted on front side if signature spaces are provided on both sides. The circulator's declaration must follow the last signature block.

**DECLARATION OF PERSON CIRCULATING INITIATIVE (MUST BE IN CIRCULATOR'S OWN HANDWRITING)**

I \_\_\_\_\_ declare:  
 (Print Name)

1. My residence address is \_\_\_\_\_ in \_\_\_\_\_ County, California, and I am a registered voter in (insert electoral jurisdiction).
2. I personally circulated the attached petition for signing.
3. I witnessed each of the appended signatures being written and to the best of my information and belief, each signature is the genuine signature of the person whose name purports to be, and
4. The appended signatures were obtained between the dates of \_\_\_\_\_ and \_\_\_\_\_, inclusive.  
(Starting Date) (Ending Date)

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

Executed on \_\_\_\_\_ at \_\_\_\_\_, California. \_\_\_\_\_  
(Date) (City Where Signed) (Signature)

**CIRCULATOR STATEMENT OF  
ACKNOWLEDGEMENT**  
**SAMPLE**

I, \_\_\_\_\_ acknowledge that it is a misdemeanor under State Law (California Elections Code section 18650) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot.

I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

\_\_\_\_\_  
(Signature of Circulator)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

## **RESOLUTION TITLES**

### **SAMPLE**

Refer to the specific formats for your governing body for the resolution.

#### **DISTRICTS AND CITIES**

Submit a copy of the resolution from the special district or city governing body titled, “*Resolution Requesting Consolidation of Election and Ordering of Such Election,*” along with the “Notice to Registrar of Voters of Measures Submitted to the Voters.”

#### **SCHOOLS**

Submit a copy of the resolution from the school district governing body titled, “*Resolution Ordering Elections, Specifications of the Elections Order, and Requesting Consolidation,*” along with the “Notice to Registrar of Voters of Measures Submitted to the Voters.”

#### **COUNTY**

Submit a copy of the resolution from Stanislaus County Board of Supervisors titled, “*Resolution Requesting Consolidation of Election and Ordering of Such Election.*” No notice to ROV is required.

## NOTICE TO THE ROV FROM GOVERNING BODY SAMPLE

### Notice to Registrar of Voters of Measures Submitted to the Voters

This notice can be in any format but it is usually in letter form on the governing board's letterhead. The purpose of this letter is to notify the ROV that the governing board has approved an issue for placement on the ballot.

Generally, you submit several pages along with the letter that include, but are not limited to, the ballot measure statement, code section text, impartial analyses, arguments and rebuttals, and text for the tax rate statement.

Please refer to the calendar that our office assisted you with that contains the specific due dates for documents related to your issue.

**Your documents must contain the exact text of what is to appear in the Sample Ballot. What you submit to the ROV is what will appear in the sample ballot for your issue.**



## Stanislaus County Elections Division Tips Regarding Petition Signers and Circulators

---

### Signers

- Signers must be a resident and registered voter of the same jurisdiction as the petition is being circulated.
- Signers must clearly print their physical residence address. They should include apartment, space or unit numbers, if applicable.
  - Business addresses are not acceptable; the signature cannot be counted.
  - Mailing addresses are not acceptable; the signature cannot be counted.
  - PO Boxes are not acceptable; the signature cannot be counted.
  - If no residence address is indicated, the signature cannot be counted.
- Signers may not use a pre-printed address label or stamper. This information must be handwritten.
- A registered voter who has legally qualified under Elections Code section 354.5 may use an authorized signature stamp.
- If the signer is not registered, or has moved, they must complete a new voter registration card. The voter registration card must be dated on or before the date of signing the petition.

### Circulators

- The circulator must be 18 years of age or older.
- The circulator must complete the “Affidavit of Circulator” located on the back of the petition. An incomplete or unsigned Affidavit of Circulator could invalidate all signatures on the petition page.
- Circulators may not use a pre-printed address label or stamper. This information must be handwritten.

### Voter Registration

- If a person registers to vote on the same day as signing the petition, verify that the voter registration card is complete. There are instances when missing information or a missing signature can invalidate the signature on the petition because the voter registration card was not properly completed.

### Deadlines

- Be aware of the filing deadline for the petition.
- Any petition filed after the given deadline cannot be counted.