

TULARE COUNTY
CANDIDATE'S GUIDE
for the
Special Primary Election
16th Senate District



March 2013 Compiled by the
Office of the Tulare County
Registrar of Voters

**TULARE COUNTY
REGISTRAR OF VOTERS**

5951 South Mooney Blvd. – Visalia, CA 93277
TEL: (559) 624-7300 FAX: (559) 737-4498
Office Hours:
www.tularecoelections.org



RITA A. WOODARD
Registrar of Voters

Ann Turner, Election Division Manager
Kari McCully, Election Supervisor
Monday through Thursday 7:30 AM to 5:30 PM and Friday 8:00 to Noon

Dear Candidate:

Congratulations on your decision to seek office in the upcoming Special Primary Election 16th Senate District. Your candidacy provides voters in Tulare County a choice and sustains our democratic process. There are many requirements associated with being a candidate. This booklet has been prepared to assist candidates in preparing for the May 21, 2013 Primary Election. This guide is not all-encompassing; it merely summarizes the major provisions relating to candidates running for office in Tulare County. Candidates, political committees, and anyone else interested in an elective office should not rely solely on this booklet.

The Tulare County Candidate's Guide is intended to provide general information about the nomination and election of candidates, and does not have the force and effect of law, regulation, or rule. It is distributed with the understanding that the Tulare County Registrar of Voters - Elections Division is not to be a substitute for legal counsel for the individual, organization or candidate using it. In case of a conflict, the law, regulation, or rule will apply.

Please take note that our business hours vary from many other offices.

Registrar of Voters-Elections Department Office Hours:

7:30 a.m. to 5:30 p.m. Monday through Thursday

8:00 a.m. to noon on Friday

(Exception: we will be open until 5:00 p.m. on Friday March 29, 2013)

We want to provide you assistance that will make seeking office easier and an enjoyable learning experience. If you have any suggestions for improving this guide or our services, please let us know. If you have any questions or need additional information, please contact this office at (559) 624-7300.

Best wishes to you in your campaign.

Sincerely,

A handwritten signature in cursive script that reads "Rita A. Woodard".

Rita A. Woodard
Registrar of Voters

Table of Contents

Primary Election Law.....	4
Contact Information.....	5
Voting System in Tulare County.....	6
Offices up for Election.....	7
Multi-County Districts.....	7
Primary Election Calender.....	8
<u>CANDIDATE FILING REQUIREMENTS</u>	
State Senator	11
Qualifications to Run for Office	12
Filing Fees.....	14
Filing Fee and Signature Requirement	15
Petition in Lieu of Filing Fee	16
Nomination Petition	18
Declaration of Candidacy	19
Random Alpha Sequence of Names.....	20
Nomination Papers.....	20
Withdrawal of Candidacy	21
Write-In Candidates	21
Ballot Designations	23
Candidate Statement Rules	26
Candidate Statement Cost.....	29
<u>CAMPAIGN FINANCIAL STATEMENTS (FPPC)</u>	
Campaign Financial Statement (FPPC) Contact.....	30
Financial Statement Filing Schedule.....	31
On-Line Disclosure Statements	33
Fines & Waivers - Strict Policy for Late Disclosure Statements	34
“Good Cause” Reasons for Waiving Late Fees	35
Important Things to Remember	36
<u>CAMPAIGN LAWS & REGULATIONS</u>	
Posting Political Signs	39
Voter Registration Drives	41
Political Advertisement Requirements	41
Electioneering (Campaigning) Near Polling Places	41
Simulated Ballot Requirements.....	42
Mass Mailing of Campaign Literature	42
Exit Poll Taking	42
Vote by Mail Ballot Application Distribution.....	43
<u>FREQUENTLY ASKED QUESTIONS</u>	
Where to Report Campaign Complaints	47
Candidate Filing	48
Election Night	49
Vote by Mail Process	50
<u>SERVICES AVAILABLE TO CANDIDATES</u>	
Voter and Election Information	53
Confidential Voter Data.....	55
Payment	55
Voter and Election Data that Does Not Require an Application.....	55
Restrictions on Purchasing a Precinct Index	56
Application for Voter Registration Information	57
Vote by Mail Application	58
Department of Transportation regarding campaign signs.....	59
Notes	62
2013 Calender.....	63

PRIMARY ELECTION LAW

Top Two Candidates Open Primary Act and Voter-Nominated Offices On June 08, 2010, California voters approved Proposition 14, which created a “top two” or “open primary” election system.

Except for the office of U.S. President and county central committee offices, offices that used to be known as “partisan offices” (e.g., state constitutional offices, U.S. Congress, and state legislative offices) are now known as “voter-nominated” offices. What used to be known as a “political party affiliation” is now known as a “political party preference.”

Prior to the Top Two Candidates Open Primary Act, all candidates running in a primary election, with the same political party affiliation, were placed on a partisan ballot to be voted on by voters of the same political party. The top vote-getter from each qualified political party would move on to the general election. At the general election, candidates could gain access to the ballot using the independent nomination process and others could run as write-in candidates.

Under the Top Two Candidates Open Primary Act, all candidates running in a primary election, regardless of their party preference, will appear on a single primary election ballot and voters can vote for any candidate. The top two overall vote-getters – not the top vote-getter from each qualified political party – will move on to the general election. Additionally, candidates are no longer allowed to run as “independents” or “write-ins” at the general election.

Prior to the Top Two Candidates Open Primary Act, a candidate for a partisan office would have the political party they were registered with listed next to or below their name on the primary and general election ballots. A candidate who won at the primary election was then considered to be the official nominee of their political party.

Now, under the Top Two Candidates Open Primary Act, candidates for voter-nominated office can choose whether or not to list their party preference on the primary and general election ballots. Political parties can no longer formally nominate candidates for voter-nominated offices, so a candidate who finishes in the top two at the primary election and advances to the general election is not the official nominee of any party for the office.

CONTACT INFORMATION

TULARE COUNTY REGISTRAR OF VOTERS / ELECTIONS OFFICE

5951 S. Mooney Blvd.
Visalia, CA 93277

Tel: (559) 624-7300
Fax: (559) 737-4498
www.tularecoelections.org

FAIR POLITICAL PRACTICES COMMISSION (FPPC)

428 J Street, Suite 620
Sacramento, CA 95814

Technical Assistance: (866) 275-3772
Fax: (916) 322-3711
www.fppc.ca.gov

ATTORNEY GENERAL

PO Box 944255
Sacramento, CA 94244-2550

Tel: 916-322-3360
Tel: 800-952-5225
www.oag.ca.gov

FEDERAL ELECTIONS COMMISSION (FEC)

999 E Street, NW
Washington, DC 20463

Tel: (800) 424-9530
www.fec.gov

SECRETARY OF STATE

ELECTIONS DIVISION
1500 11th Street, Fifth Floor
Sacramento, CA 95814

Tel: (916) 657-2166
Fax: (916) 653-3214
www.sos.ca.gov/elections/

POLITICAL REFORM DIVISION
1500 11th Street, Room 495
Sacramento, CA 95814

Tel: (916) 653-6224
Fax: (916) 653-5045
www.sos.ca.gov/prd/

ELECTION FRAUD UNIT
1500 11th Street, Fifth Floor
Sacramento, CA 95814

Tel: (916) 657-2166
Fax: (916) 653-3214

TULARE COUNTY DISTRICT ATTORNEY

221 S Mooney Blvd, Room 224
Visalia, CA 93291

Tel: (559) 636-5494
Fax: (559) 730-2658
www.da-tulareco.org

UNITED STATES ELECTION ASSISTANCE COMMISSION (EAC)

1201 New York Avenue N.W., Suite -
300
Washington, DC 20005

Tel: (202) 566-3100
Toll Free: (866) 747-1471
Fax: (202) 566-3127
www.eac.gov

VOTING SYSTEM IN TULARE COUNTY

Tulare County uses Sequoia Voting System. A majority of voters will continue to vote on paper ballots, and then feed their paper ballot into an optical scan vote tabulation unit at their polling place. Pursuant to the federal Help America Vote Act (“HAVA”), at their choice, voters may instead vote on a ballot counting unit which utilizes touchscreen technology called the Edge or Direct Record Electronic voting machine or “DRE”. There will be at least one touchscreen unit at each polling place.

Each touchscreen is capable of the following:

- Displaying ballot text in either English or Spanish
- Displaying ballot text in an enlarged font for easier reading
- Utilizing a handheld key pad and an audio headset to vote (specifically designed for blind, visually-impaired or illiterate voters)
- Eliminating the possibility of a voter “over voting” a race. In other words, voting for more candidates than they are allowed to vote on, which cancels their votes for that race;
- Reducing the likelihood of voters inadvertently missing the back side of a ballot (by forgetting to turn over their paper ballot and not voting for races on the back side) by requiring voters to scroll through all races before casting their ballot
- Allowing voters to review their choices before casting their ballot by first displaying a summary on the screen and then printing a summary of who they voted for (called a Voter Verifiable Paper Audit Trail).

OFFICES UP FOR ELECTION
In the
2013 Special Primary Election 16th Senate District

OFFICE

STATE

Member of the State Senate, 16th District

MULTI-COUNTY DISTRICTS
In the
2013 Special Primary Election 16th Senate District

STATE SENATE DISTRICTS

16th District Fresno, Kern, Kings & **Tulare** Counties

May 21, 2013
SPECIAL PRIMARY ELECTION CALENDAR

Mar 08, 2013 – Mar 22, 2013 (E-74 – E-60)	Signature in Lieu of Filing Fee filing period (E.C. 8106)
Mar 11, 2013 – Mar 29, 2013 (E-71 – E-53)	Declaration of Candidacy & Nomination Petition filing period.
Mar 29, 2013 @ 5 PM (E-53)	Last day to file Declaration of Candidacy and Nomination Papers.
Mar 29, 2013 – Apr 8, 2013 (E-53 -- E-43)	Public Inspection of Candidate Statements and all other materials to be printed in county voter pamphlet (sample ballot). (Election Code 13313b)
Apr 2, 2013 @ 11 AM (E-49)	Random Alphabet drawn for placement of candidate names on the ballot (drawings by Secretary of State).
Mar 25, 2013 – May 7, 2013 (E-57 – E-14)	Filing Period for Write-In Candidacy.
Apr 22, 2013 – May 14, 2013 (E-29 – E-7)	Period for Elections Official to receive Vote By Mail ballot requests from voters.
May 6, 2013 (E-15)	Last day for voters to register to vote. Registration cards must be received in the Elections Office or postmarked by this date.
May 14, 2013 (E-7)	Last day for county elections official to receive a voter's application for a Vote By Mail ballot to be mailed.
May 11, 2013 (E-10)	County elections official may begin processing Vote By Mail ballots for counting. (No results will be released until 8:00 PM on Election Day).
May 15, 2013 – May 21, 2013 (E-6 – E day)	Late Condition Vote By Mail Period - If voter is unable to go to the polls to vote, they may designate an authorized representative to pick up and return the voted Vote By Mail voter's ballot. Request must be in writing, signed by the voter (representative must be named in the request).

CANDIDATE FILING REQUIREMENTS

Elections
Office



State Senator

	FILING FEES	\$905.26 Due at the time of being issued nomination petitions and/or Declaration of Candidacy whatever amount is not covered by Petition in Lieu of Filing Fee signatures. See page 14 in this booklet.
	PETITION IN LIEU OF FILING FEE	Gather signatures in lieu of filling fees – signatures to be gathered between March 8, 2013 and March 22, 2013. May be used towards nomination signatures. See page 16 in this booklet.
	NOMINATION SIGNATURES	40-60 signatures to be gathered between March 11, 2013 and March 29, 2013. Not required if using petition in lieu signatures. See page 18 in this booklet.
700	STATEMENT OF ECONOMIC INTEREST (FORM 700)	Required. Must be filed with the Secretary of State's office by March 29, 2013.
501	FPPC FILING	Form 501 must be filed before you solicit or receive any contributions or before you make any expenditure from personal funds on behalf of your candidacy (excluding candidate statement fees and filing fees).
410	FPPC FILING	Form 410 must be filed if campaign contributions will total \$1000 or more in a calendar year. A Candidate's personal funds used to pay a filing fee or candidate statement fee are not counted toward the \$1,000 threshold.
460	FPPC FILING	Form 460 must be filed if a candidate raised or spent or will raise or spend \$1,000 or more during the calendar year.
470	FPPC FILING	Form 470 must be filed if a candidate does not anticipate spending or receiving more than \$1000 in a calendar year.
	DECLARATION OF CANDIDACY	Required. Must be filed between March 11, 2013 and March 29, 2013 with the County Elections Office. You will take an Oath of Office; designate how your name is to appear on the ballot, and what ballot designation (occupation) you want to appear under your name on the ballot. See page 19.
	CODE OF FAIR CAMPAIGN PRACTICES	Optional. No deadline, but suggested to be filed at the time Nomination Papers are filed.
	BALLOT DESIGNATION WORKSHEET	Required - This form is needed if you request a ballot designation. Failure to file this form will result in no ballot designation appearing under your name. See page 23-25.
	CANDIDATE STATEMENT OF QUALIFICATIONS	Optional. This is a 250 word or less statement you write describing your education and qualifications. It is printed in the County's Sample Ballot booklet. It must be filed before or at the time of filing your Declaration of Candidacy. Payment for statement is required at time of filing. Note: Candidate must have indicated acceptance of the voluntary expenditure ceiling on Form 501 to be able to have a statement printed.
	QUALIFICATIONS TO RUN FOR THIS OFFICE	Citizen of the U.S., registered voter in the district at the time nomination papers are issued. May not serve more than two terms in the State Senate. <i>California Constitution Art. IV, Sect. 2; Elections Code 201 & 8001. Note: California Constitution Art. IV, Sect. 2(c) requires one year residency in the legislative district and three years residency in California; however, it is the legal opinion of the Secretary of State's office that these provisions violate the U.S. Constitution and are unenforceable.</i>
	RESTRICTIONS	Restrictions on government employees running for office can be found on page 13.

QUALIFICATIONS TO RUN FOR OFFICE

GENERAL QUALIFICATIONS

The California Elections Code requires all candidates for public office in California to be registered voters and otherwise qualified to vote for the office they are seeking at the time their nomination papers are issued. The constitutional requirements to be a registered voter are that a person must be a United States citizen, at least 18 years of age, not in prison or on parole for the conviction of a felony, and not determined by a court of law to be mentally incompetent.

CANDIDACY FOR MORE THAN ONE OFFICE PROHIBITED

Partisan Offices

No person may file nomination papers for a party nomination and an independent nomination for the same office, or for more than one office at the same election. A candidate whose name has been on the ballot as a candidate of a party at the direct primary and who has been defeated for that party nomination is ineligible for nomination as an independent candidate. He or she is also ineligible to be a candidate named by a party central committee to fill a vacancy on the ballot for a general election. Elections Code 8003.

Exception: A person may be a candidate for a party county central committee position and for another public office at the same election. (Central Committee member has been determined by the Secretary of State's office to NOT be an "office" within the meaning of Section 8003).

Non-Partisan Offices

A public officer who is appointed or elected to another public office and enters upon the duties of the second office, automatically vacates the first office **if the two are incompatible**.

Offices are incompatible, in the absence of statutes suggesting a contrary result, if there is any significant clash of duties between the offices, if the dual office holding would be improper for reasons of public policy, or if either officer exercises a supervisory, or removal power over the other.

58 Ops.Cal.Atty.Gen. 323, 324-325 (1975).

The County Elections Office is not allowed to give legal advice or interpret which offices are "incompatible". If you intend to file nomination papers for a second elected office, you should consult your own legal counsel or contact the Attorney General's office at (916) 324-5437 or visit their website, www.caag.state.ca.us. The State of California Attorney General's Office has issued many opinions of particular compatibility questions. Here are six examples of incompatible offices:

- The offices of city councilman and school district board member where the city and the school district have territory in common;
- Fire chief of a county fire protection district and member of the board of supervisors of the same county;

QUALIFICATIONS TO RUN FOR OFFICE, CONTINUED...

- High school district trustee and trustee of an elementary school district which is completely within the geographic boundaries of the high school district;
- Water district director and a city council member;
- Water district director and a school district trustee having territory in common;
- Deputy Sheriff and County Supervisor.

PROOF OF QUALIFICATIONS REQUIRED FOR SOME OFFICES

For offices specified in the following pages, no person shall be considered a legally qualified candidate unless that person has filed all appropriate papers accompanied by documentation, including, but not necessarily limited to, **certificates, declarations under penalty of perjury, diplomas, or official correspondence**, sufficient to establish, in the determination of the official

with whom the declaration or statement is filed, that the person meets each qualification established for service in that office. Elections Code 13.5(a)(1).

RESTRICTIONS ON GOVERNMENT EMPLOYEES RUNNING FOR OFFICE

An employee of a local agency (a city, county, district, municipal or public corporation, political subdivision, or other public agency of the state) may not be sworn into office as an elected or appointed member of the legislative body (board of supervisors, city council, governing body of a district, etc.) of that local agency unless he or she resigns as an employee. If the employee does not resign, the employment shall automatically terminate upon his or her being sworn into office.

This does not apply to any volunteer firefighter who does not receive a salary. (Government Code 53227 & 53227.2)

FAMILY MEMBER OF CANDIDATE SERVING AS A POLLWORKER

Neither a candidate nor members of a candidate's immediate family are eligible to serve as poll worker/precinct officers at any polling place which has ballots on which the candidate's name appears.

FILING FEES

The Election Official cannot issue the Nomination Petition and/or Declaration of Candidacy until the filing fees are paid, or signatures in lieu of filing fees are submitted. Elections Code 8105 & 8106(b)(3).

Those fees which must be deposited with the Secretary of State will be accepted by the County Elections Official when the papers are issued for later transmittal to the Secretary of State. Elections Code 8105.

WHEN FILING FEE IS DUE

The candidate must pay the filing fee at the time of obtaining the Nomination Forms (either the Nomination Petitions or the Declaration of Candidacy).

HOW FILING FEES CAN BE PAID

Filing fees may be paid by direct payment (check or money order only) or by obtaining voter "signatures in lieu of filing fee" during the specified Petition in Lieu circulation period. Only forms issued by the Elections Official may be used. A combination of signatures-in-lieu and direct payment may also be used.

Checks are acceptable and should be made payable to Tulare County Registrar of Voters. Cash cannot be accepted for the payment of a filing fee. Government Code 84300(b).

PROVISIONAL CREDIT IS GIVEN FOR SIGNATURES WHEN FILING FEE IS DUE

Signatures in lieu may be filed before or at the time the filing fee is due. Candidates must file all signatures in lieu not later than 7 days prior to the close of the Nomination Period. "Provisional credit" is initially given for all the signatures filed. Actual credit will be determined after signatures are checked by Election Officials at which point supplemental filing fee or supplemental signatures may be due to make up the difference.

SUPPLEMENTAL FILING FEE DUE AFTER SIGNATURES ARE VERIFIED

Within 10 days of receipt, the Elections Official must verify the signatures and notify the candidate of the difference between the number of sufficient (good) signatures and the number of signatures for which they were given provisional credit. The candidate must pay the monetary difference in either direct payment or by filing additional signatures in lieu before the end of the nomination period. Failure to pay the remaining fee or file sufficient supplemental signatures in lieu will result in the candidate being disqualified.

All filing fees received by the Secretary of State and County Elections Officials are nonrefundable.

Elections Code 8020, 8101, 8105 & 8106(b)(3).

FILING FEE & SIGNATURE REQUIREMENT

STATE OFFICES

OFFICE	TERM OF OFFICE	INCUMBENT	FILING FEE (% of salary) E.C. 8104	SIGS IN-LIEU E.C. 8106	SIG VALUE	NOMINATION SIG E.C. 8062
Member of the State Senate, 16 th District	Short-term to Expire 12/1/14	Vacancy created by Michael Rubio's resignation	\$905.26 (1%)	3,000	.301753	40-60

NOTES:

1. Filing Fees are based upon a percentage of the annual salary: Statewide offices are 2%; District offices are 1%. Elections Code 8103.

PETITION IN LIEU OF FILING FEE

A candidate may submit a petition containing signatures of registered voters in lieu of paying the filing fee in order to run for office. The signatures submitted may cover all, or a prorated portion, of the filing fee.

ISSUANCE OF MASTER FORM - DUTIES OF ELECTION OFFICIAL

The Election Official is required to provide Petition in Lieu of Filing Fee forms to the candidate. Rather than providing the candidate with a number of forms sufficient to gather the requisite number of signatures, the Election Official may provide a master form which may be duplicated by the candidate at the candidate's expense. The candidate may also request a master form. Elections Code section 8106 (b).

QUALIFICATIONS OF PETITION IN LIEU SIGNERS

Each signer of a Petition in Lieu of Filing Fee must be a registered voter in the county and district or political subdivision in which the candidate is voted on. Elections Code 8068 & 8106(b)(1).

For partisan offices, Petition in Lieu signers must also be registered with the same party as the candidate for whom the petition is being circulated. The exception is that a decline-to-state (a.k.a. Non-Partisan) registrant may sign the petition of any partisan candidate whose party, at the time of submission of the petitions for verification, has notified the Secretary of State that it has adopted a rule allowing such registrants to vote their party's ballot at the ensuing primary election. Elections Code 8068, 8106(a)(6) & 2151.

For voter nominated offices, Petition in Lieu signers must be registered in the District and eligible to vote for that contest. No signer shall have his or her name signed to any other Petition in Lieu of Filing Fee for any other candidate for the same office. If there are several places to be filled in the same office, the signer may sign as many Petition in Lieu of Filing Fees as there are places to be filled. Elections Code 8069 & 8106(b)(2).

Each signer of a Petition in Lieu of Filing Fee must do the following in the presence of the circulator:

- (1) sign his or her signature,
- (2) print his or her name, residence address, city and state.

QUALIFICATIONS AND RESPONSIBILITIES OF PETITION CIRCULATORS

Circulators of In Lieu Petitions must be registered voters of the district in which the candidate seeks election.

Circulator's Affidavit:

- (1) The circulator shall read the circulator's affidavit prior to obtaining signatures.
- (2) After obtaining signatures on a Petition in Lieu of Filing Fee, the circulator must complete the circulator's affidavit.
- (3) Each petition section must contain an original affidavit executed by the circulator.

PETITION IN LIEU SIGNATURES COUNTING TOWARD NOMINATION SIGNATURES

If the Petition in Lieu of Filing Fee contains the requisite number of valid signatures required for the Nomination Petition, the candidate is not required to circulate and file a Nomination Petition, but may request the County Elections Official to accept the Petition in Lieu of Filing Fee instead of filing Nomination Signatures.

If the Petition in Lieu of Filing Fee does not contain the requisite number of valid signatures required for the Nomination Petition, the candidate may still circulate and file a Nomination Petition to be signed by qualified registered voters during the nomination period. The candidate may request the County Elections Official to apply the number of valid signatures on the Petition in Lieu of Filing Fee toward, and combined with, the valid number of signatures on the Nomination Petition to satisfy the signature requirement for the office. Elections Code 8106.

FILING OF SIGNATURE IN LIEU OF FILING FEE PETITION

The Petition in Lieu of Filing Fee must be submitted to the Elections Official of the county in which the signers reside and are voters. Elections Code 8063 & 8106(b)(4).

The Elections Official will issue a receipt for all petitions filed and the candidate will be notified of the number of signatures which are determined to be good or "sufficient".

Though the Elections Official for each county will keep a log of the number of sufficient signatures for each candidate, **the candidates themselves are responsible for making sure they are credited for the correct amount of signatures** especially if petitions were filed in more than one county.

REGISTERING VOTERS WHILE CIRCULATING PETITION

Candidates may register voters while circulating a Petition in Lieu of Filing Fee. Voter registration cards may be obtained from any County Elections Official. After the voter completes the registration card, the candidate or circulator may collect and turn the card in to the Elections Official. However when turning in registration cards for voters who sign a petition, the candidate should let the Elections Official know that the cards go with the petition. Any circulator or person who takes back a completed registration card form to turn in for a voter must fill out the receipt stub at the bottom of the form and give it to the voter.

ALL CANDIDATES MUST FILE A DECLARATION OF CANDIDACY, DESPITE FULFILLING NOMINATION NEEDS WITH PETITION IN LIEU

The Nomination Petition is only one of the many documents required for candidacy. Candidates are not to assume that because a sufficient Petition in Lieu of Filing Fee was filed, which also fulfilled the nomination petition signature requirement, that all requirements for candidacy have been completed. Candidates should check with the responsible Elections Official to determine whether all election requirements have been fulfilled.

NOMINATION PETITION

The Nomination Petitions are not necessary if sufficient nomination signatures were already submitted on a Petition in Lieu of Filing Fee Petition. If the filed Petition in Lieu documents do not contain the requisite number of valid signatures to be counted toward the nomination signature requirement, the candidate shall file a nomination petition in order to obtain the requisite number of valid signatures required to be filed. Elections Code 8061.

It is suggested that prospective candidates obtain the necessary forms from the Elections Official as soon as possible on or after the first day to circulate and file, and that the papers be filed as soon as completed so that any irregularities may be corrected before the last filing date. If the papers are found "Not Sufficient", no additions or corrections can be made after 5:00 p.m. on the last day to file.

QUALIFICATIONS OF NOMINATION PAPER SIGNERS

Each signer must be currently registered in the candidate's district (and party if a partisan office) and at the correct address. Elections Code 8068 & 8081.

Note for Partisan Offices: Voters who have declined to state an affiliation to a political party (Non-Partisan or Decline to State voters) may NOT sign nomination petitions for partisan office candidates despite the fact that they may be able to vote for them and sign their petition in lieu forms in the case where the party formally authorizes Declined to State voters to vote the ballot of that political party. Elections Code 2151 & SOS CCROV Memo #01067 dated 4-13-01.

Each signer must sign their own name and residence address (post office boxes and ditto marks are not accepted). Elections Code 100. A person who is unable to personally affix the required information may request another person to print the voter's name and place of residence in the appropriate spaces of the petition, but the voter shall personally affix his or her mark or signature which shall be witnessed by one person by subscribing his or her name thereon. Elections Code 100.5.

Each signer of a nomination paper can sign only as many nomination papers as there are places to be filled for that office. Elections Code 8069.

No more signatures shall be secured for any candidate than the maximum nor less than the minimum required for the office. See "Filing Fees & Signatures Required" to see the number of nomination signatures required for each office. Elections Code 8062.

CIRCULATORS OF NOMINATION PAPERS

1. Candidates may circulate signatures him/herself or may appoint circulators to gather signatures on Nomination Papers. Elections Code 106 & 8065.
2. The circulator shall be a voter in the district or political subdivision in which the candidate is to be voted on and shall serve only in that district or political subdivision. Elections Code 8066.
3. The circulator may serve only within the county in which he/she resides. Elections Code 8066.
4. Only one person may circulate a petition section. Whoever circulates the petition must complete the affidavit of circulator certifying all signatures were made in their presence. Elections Code 104.

CONFIDENTIALITY

Once filed, nomination petitions can be viewed, but not photocopied. Elections Code 17100
(c)

DECLARATION OF CANDIDACY

(for Primary & General Elections)

A sufficient Declaration of Candidacy must be filed before 5:00 p.m. on the close of the Nomination Period for the candidate's name to appear on the ballot. Elections Code 13 & 8020.

Candidate Must Sign the Declaration of Candidacy

The Candidate must sign the Declaration of Candidacy in two places:

- The Affidavit of Nominee
- The Oath of Allegiance. The Oath must be signed before a Deputy Elections Official, a notary, the city clerk (for city offices), the district secretary (in cases of an office in a special district such as memorial or irrigation districts), or the superintendent of schools (in cases of candidates for school board).

Candidate Must Print His or Her Name as it is to Appear on Ballot

No title or degree can be used on the same line as the candidate's name. Elections Code 13106.

The candidate's name will be printed on the ballot exactly as it appears on the Declaration of Candidacy. Nicknames of candidates are permitted on the ballot provided the candidate has declared his or her candidacy or has accepted the nomination under that name. Nicknames should not indicate or allude to an occupation or a title, but should be limited to derivatives of the candidate's name.

If a candidate changes his or her name within one year of any election, the new name shall not appear upon the ballot unless the change was made by marriage or decree of court of competent jurisdiction. Elections Code 13104.

If there are two candidates with the same or similar name who have filed for the same office, the candidates may, at the time of filing their nomination papers, or within five days after the time for filing nomination papers has expired, file with the County Elections Official a statement asking that a "number" of their choice be placed next to their name on the ballot as a distinguishing mark. If both candidates choose the same number, the first candidate to file the statement will receive their choice, the other candidate will have to select a new number. Elections Code 13118.

Candidate May Indicate a Ballot Designation

At the option of the candidate, a designation may appear under the candidate's name on the ballot. Designations are subject to the limitations of Elections Code 13107 and the California Code of Regulations 20710 et. seq. See section on Ballot Designations.

Candidate Must Indicate if He or She Will File a Candidate Statement

A candidate must indicate if he/she chooses to file a statement of qualifications, known as a Candidate Statement. Candidate Statements are printed and mailed to the voters in the sample ballot booklets and can be found in the voter information pamphlet section. See Candidate Statement portion of this Guide.

Random Alpha Sequence of Names on the Ballot-Special Election

After the close of the extended nomination period, the Secretary of State will conduct the randomized alphabet drawing. This process is a random drawing of the letters of the alphabet, which will be used to determine both the primary and general placement of candidate names on the ballot for all offices. Elections Code 13111 & 13112 (d).

Rotation of Candidates' Names On Ballot

- STATEWIDE, U.S. REPRESENTATIVE CANDIDATES: Candidates for statewide office shall rotate by Assembly Districts. Rotated names will appear in the random alpha order in the lowest numbered Assembly District in which the name appears; thereafter for each succeeding Assembly District, the name appearing first in the last preceding Assembly District shall be placed last, the order of the other names remaining unchanged. Elections Code 13111(c) & (d)
- ALL OTHER OFFICES DO NOT ROTATE: The order of candidate's names for all other offices will not change. Elections Code 13111.

NOMINATION PAPERS

STATEWIDE OFFICES - Nomination papers for a statewide office for which the candidate is to be nominated shall be signed by voters of the state equal to but not less in number than one percent (1%) of the entire number of registered voters of the state at the time of the close of registration prior to the preceding General Election.

NON-STATEWIDE OFFICES - Nomination papers for an office, other than statewide, shall be signed by at least three percent (3%) of the entire number of registered voters in the district at the time of the close of registration prior to the preceding General Election. Ask the Elections Official for the number of signatures needed.

WITHDRAWAL OF CANDIDACY

The last day a candidate may withdraw his candidacy for a particular office is always the last day of the nomination period for that office. Once the nomination period is over, requests for withdrawal of candidacy are not accepted and the candidate's name will appear on the ballot (or in cases where there are insufficient nominees, the candidate's name will be submitted for appointment in lieu of election).

To withdraw, a candidate must submit a written and signed request to withdraw his or her candidacy to the Elections Office by the deadline.

If a candidate decides that they want to run for a different office, they must submit a request to withdraw their candidacy and then complete the regular paperwork to file for the new office.

If nomination signatures were gathered for the first office and then the candidate withdraws, the signatures will not apply towards a different office. Nomination signatures are gathered for a specific office and cannot be transferred to a different office. The candidate may have the voter sign the nomination petition for the new office.

WRITE-IN CANDIDATES

(for primary or general elections)

Filing as a Write-In Candidate

Every person who declares to be a write-in candidate shall file:

- (1) A Declaration of Candidacy for Write-In Candidates provided by the Elections Official.
- (2) The required number of signatures on the Nomination Papers.

The Declaration of Candidacy for Write-In Candidates and nomination papers shall be available on the 57th day prior to the election and shall be filed with the Elections Official no later than 14 days before the election. Elections Code 8601.

Signers of nomination papers for write-in candidates shall be voters in the district or political subdivision in which the candidate is to be voted on. If the candidate is seeking a party nomination for an office, the signers shall also be affiliated with the party whose nomination is sought. Elections Code 8603.

No name written upon a ballot by the voter shall be counted for an office or nomination unless the candidate whose name has been written on the ballot has complied with the above requirements. Elections Code 15341.

There is no filing fee for a write-in candidate. Elections Code 8604.

WRITE-IN CANDIDATES IN PRIMARY ELECTION QUALIFYING FOR GENERAL ELECTION BALLOT

Write-in candidates for an office at the Primary Election may have their name placed upon the ballot as a candidate for that office in the next General Election if they are one of the top two vote getters.

Tallying of Write-In Votes

Write-in votes will only be partially processed on election night. There will, however, be **no reporting of write-in vote results on election evening**. Because write-in votes must be hand tallied, the counting of write-in votes is handled as part of the official canvass.

Reporting Votes for Write-In Candidates on Election Night

Final results for “qualified” write-in candidates will not be reported on election night. Instead, the election night report will show a total count of votes cast for ALL write-in candidates (whether qualified or not). The votes for qualified write-in candidates are hand-tallied and reported in the Official After Canvass Report (usually days after the election).

BALLOT DESIGNATIONS

(occupational designation appearing under candidate’s name on ballot)

The candidate may request a ballot designation appear under his/her name on the ballot, but are not required to and may leave the space for such designation blank. In order to notify the Elections Official of the candidate’s intention if no occupation is desired on the ballot under his/her name, the word “none” must be written on the application in the appropriate space. “None” will not appear on the ballot, the candidate must initial the appropriate box on the Declaration of Candidacy.

A candidate who wishes to have a ballot designation appear under his/her name on the ballot may choose ONLY ONE of the following:

Office Title	
Words designating the office may be used if the candidate at the time of filing nomination papers holds an elective office (federal, state, county, city or district) to which he/she was elected by a vote of the people.	<i>Examples:</i> Representative in Congress, 19th District Member of the Board of Supervisors
Incumbent	
The word “Incumbent” may be used if the candidate is a candidate for the <u>same office</u> which he or she holds at the time of filing nomination papers, and was elected to that office by a vote of the people, or appointed as a nominated candidate, in lieu of an election. Note: Judicial candidates may use the word “Incumbent” whether they were elected or appointed to the position.	<i>Example:</i> Incumbent
Appointed Incumbent	
The words “Appointed Incumbent” may be used if the candidate holds an office by appointment, and is filing as a candidate for election to the <u>same office</u> . An appointed officeholder may also use the word “Appointed” and the title of the office if the candidate is filing for election to the <u>same office</u> or to <u>some other office</u> .	<i>Examples:</i> Appointed Incumbent Appointed Governing Board Member Appointed City Council member
Principal Occupation, Vocation, or Profession in 3 Words or Less	
The candidate may use a generic form of their principal profession, vocation, or occupation in <u>no more than three words</u> . Note: California geographical names will be considered one word. See following for RESTRICTIONS ON OCCUPATION DESIGNATIONS .	<i>Examples of acceptable designations:</i> farmer, school teacher, small business owner, legislator <i>Examples of acceptable designations denoting a vocation:</i> housewife, homemaker, parent, mother, father <i>Examples of unacceptable designations:</i> Sunkist Farmer, Divisadero School teacher, Owner of McDonald’s

NO MISLEADING DESIGNATIONS: The designation must not mislead the voter. No acronyms.	<i>Example:</i> You cannot use “teacher” if you only volunteer teaching Sunday School at church and are not a credentialed teacher.
NO STATUSES: The designation must be the candidate’s principal occupation or vocation and cannot be a status.	<i>Examples of unacceptable designations:</i> Activist, taxpayer, patriot, concerned citizen, husband, wife, or veteran
NO EVALUATIONS: The designation must not suggest an evaluation of a candidate.	<i>Examples of unacceptable designations:</i> outstanding, leading, expert, virtuous, popular, or eminent
NO ABBREVIATION OF THE WORD “RETIRED”: No abbreviations of the word “retired” may be used and “retired” may not be placed following any word or words it modifies.	<i>Example of acceptable designation:</i> Retired Police Officer <i>Examples of unacceptable designations:</i> Ret. Police Officer Police Officer, Retired
NO PREFIXES: No prefix which indicates prior status may be used, except for the word “retired” (see above).	<i>Examples of unacceptable designations:</i> Former Surgeon Ex-School Principal
NO POLITICAL PARTY: The name of a political party may not be used, whether or not it has been qualified for the ballot. Note: Central Committee candidates are the exception to this rule.	<i>Examples of unacceptable designations:</i> Republican Legislator Democratic Congressman
NO UNLAWFUL ACTIVITIES: No references related to any activity which is prohibited by law may be used.	<i>Example of unacceptable designations:</i> drug dealer
NO RACIAL, RELIGIOUS, OR ETHNIC GROUP: No words may be used that refer to a racial, religious or ethnic group.	<i>Examples of acceptable designation:</i> Priest <i>Example of unacceptable designation:</i> Catholic Priest

(Elections Code section 13107 & Cal Regulation 20710 et seq.)

Notice of Unacceptable Designation

If an Election Official finds an occupational designation to be in violation of the above restrictions, the candidate will be notified by certified mail with a return receipt requested.

The candidate must come to the Elections Office and provide an alternative designation within three days from the date of receipt of the notice. If he/she fails to provide an alternative designation within this time, the candidate’s name will appear on the ballot without a designation.

Ballot Designation Worksheet

In case your ballot designation is questioned or determined to be unacceptable, a Ballot Designation Worksheet is required to be filed whenever a ballot designation is indicated on the Declaration of Candidacy. The Ballot Designation Worksheet is due at the same time that the candidate files the Declaration of Candidacy. The worksheet must include information such as proposed alternate ballot designations ranked in order of the candidate's preference in case the original is unacceptable, a statement identifying the factual basis upon which the candidate claims the proposed ballot designation(s) especially if somewhat vague or potentially misleading, and in general, proof or justification of the designation the candidate has selected. Elections Code 13107.3 and Cal. Code of Reg. Sect. 20711.

CANDIDATE STATEMENT RULES

Length

- Voter-nominated State Senate candidate – no more than 250 WORDS.
- Word count standards shall be pursuant to Elections Code Section 9. Telephone numbers and web site addresses shall count as one word each.

Article I. Format

All statements must be submitted on, or attached to, the form provided by the County Election Official. Elections Code Section 13307 requires Candidate Statements have UNIFORMITY IN APPEARANCE. In addition, there are page layout and spacing restrictions which require candidate statements to adhere to the following rules.

ANY CANDIDATE STATEMENT WHICH DOES NOT CONFORM TO THE RULES BELOW WILL BE CORRECTED BY THE ELECTIONS OFFICIAL.

- Statements must be typed in UPPER & LOWER CASE.
- No BOLD, UNDERLINES, or *ITALICS* may be used.
- Statements must be in BLOCK PARAGRAPH FORM.
- NO BULLETS, STARS or ASTERISKS are allowed.
- TABLES or LISTS of items or phrases should NOT be vertical or indented, but must be strung together in paragraph format.

Content

Statement shall not, in any way, make reference to other candidates for office or to another candidate's qualifications, character or activities. Moreover, no statement shall contain any demonstrably false, slanderous or libelous statements, nor any obscene or profane language, statements or insinuations.

Statements shall be written in the first person (i.e. "I am running..." **not** "She is running..." or "Jane Doe is running...") and shall be limited to a recitation of the candidate's own personal background and qualifications.

The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. Elections Code 13307(a)(1).

Each statement shall be accompanied by a declaration executed under penalty of perjury declaring that the information contained therein is true and correct.

Order of Statements in Sample Ballot Booklet

Statements for the same office will be printed in the voter information pamphlet portion of the Sample Ballot in the order determined by the random alphabet drawn pursuant to Elections Code Section 13112 or 13111(i), as applicable. Rotation (as provided in Section 13111) shall not apply to the order in which statements are printed.

Translations into Other Languages

The statements will automatically be printed in languages required by the federal Voting Rights Act. In Tulare County, the County Elections Official will arrange for all statements to be translated, printed and mailed in Spanish as well as English. Translations will be provided by the Election Official, not the candidate. Elections Code 13307.

Mailing Sample Ballot Booklets

The Elections Office shall send to each registered voter, typically inside the sample ballot booklet, the candidate statements of each candidate. (Elections Code 13307). Sample Ballots will be mailed not less than 21 days before the election to each voter who is registered at least 29 days prior to the election. (Elections Code 13303). Please take note, voters in mailed ballot precincts are sent an official ballot as soon as they are available, starting at 29 days before the election. This may be before all Sample Ballots have been mailed. (Elections Code 3005). Additionally, the Elections Office is not legally required to mail Sample Ballots or candidate statements to voters who register less than 40 days before the election. (Elections Code 13306).

Candidate Statement Filing Information

The Candidate Statement shall be filed with the County Elections Official of the county of residence at the time the nomination papers are filed. (Elections Code 13307(a)(2)).

Public Examination Period

Once filed the Candidate Statements shall remain confidential until the expiration of the filing deadline for nomination papers for such office for the election (Elections Code 13311).

Candidate Statements shall be on public display and, as such, subject to examination and challenge by any voter of the jurisdiction, pursuant to Elections Code Section 13313, for a period of 10 calendar days following the close of filing for each such office.

Changing or Withdrawing a Candidate Statement

A Candidate Statement may be withdrawn, but shall not be changed, at any time up to 5:00 p.m., the next working day following the filing deadline for nomination papers for such office; except as specifically required by the Elections Official, as provided above. Once withdrawn, a new statement may not be filed. Elections Code 13307(a)(3).

Cost of Candidate Statements

The cost of each statement is estimated by the county Elections Official. Payment is due upon filing the nomination papers. 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 Election Official is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund of any excess paid depending on the final actual cost. Elections Code 13307(c).

If a candidate alleges to be indigent and unable to pay in advance the requisite fee for submitting a candidate statement, the candidate shall submit an Affidavit of Financial Worth (form available from the Elections Office) and a copy of their last federal income tax report (or a signed release form) to be used by the district in determining whether or not he or she is eligible to submit a candidate statement without payment of the fee in advance. Elections Code 13309.

Candidate Statement Example

Official issuing form will complete top portion (including cost, word limit, and who is to pay)

ESTIMATED COST OF STATEMENT: \$ 1,000 TO BE PAID BY (circle one): CANDIDATE DISTRICT

**SMART SCHOOL DISTRICT
Governing Board Member**

NAME: Jane Doe AGE: 32
(Optional)

Occupation: Businesswoman
(Optional - May be more descriptive than what will appear on the ballot)

Education and Qualifications:
(State in a word or two at the beginning here)

I am running for the governing board of the Smart School District because I feel I can bring a balance to the board. I attended local schools, graduating from Smart High School in 1985. I am married and currently have two children attending school in the district.

I own and operate my own business, so I am well aware of the need to operate within a budget. With proper distribution of resources and educational materials I am convinced we can offer quality education to all students within the district.

I have been active in the P.T.A., served on the Save Our Youth committee, and am an active member of the All-Faith Church. I have served as Boy Scout Den Mother and Girl Scout Leader for the past 3 years. I also served as a volunteer at the Community Recycling Center as time allows.

I am looking forward to serving you on the Smart School District Governing Board.

Thank you for your vote.
J.D.

I declare that I prepared the above statement which is to be printed in a voter's pamphlet and mailed to each registered voter of my district. I further state that if the cost of printing is the responsibility of the candidate, I will pay for my prorated cost of the statement at such time as instructed by the elections official.

If I have no competition or my contest will not appear on the ballot, I wish to withdraw my Candidate Statement within 24 hours and receive a full refund.

Jane Doe *Jane Doe*

Print Name Signature of Candidate

Candidate Statement (12-21-2005)

Occupation may be more descriptive than ballot designation

All statements should be typed, in upper and lower case lettering, block paragraph style

Correct any typos prior to filing and initial

By checking this box, your statement will not be printed and you will receive a full refund if
 1) there are not enough candidates for your contest to go to the ballot, or
 2) there are not enough candidates for your contest but your contest is required to appear on the ballot anyway.

If either age or occupation is left blank, none will be printed

Candidate must sign form.

**SMART SCHOOL DISTRICT
Governing Board Member**

JANE DOE AGE: 32

Occupation: Businesswoman
Education & Qualifications:

I am running for the governing board of the Smart School District because I feel I can bring a balance to the board. I attended local schools, graduating from Smart High School in 1985. I am married and currently have two children attending school in the district.

I own and operate my own business, so I am well aware of the need to operate within a budget. With proper distribution of resources and educational materials I am convinced we can offer quality education to all students within the district.

I have been active in the P.T.A., served on the Save Our Youth committee, and am an active member of the All-Faith Church. I have served as Boy Scout Den Mother and Girl Scout Leader for the past 3 years. I also served as a volunteer at the Community Recycling Center as time allows.

I am looking forward to serving you on the Smart School District Governing Board.

Thank you for your vote.

Your Candidate Statement will appear in the Sample Ballot Booklet on an 8 1/2 x 11 size page with as many as 3 other statements in basically this format.

ESTIMATED COST FOR CANDIDATE STATEMENT
for the 2013 Special Primary Election 16th Senate District

CONTEST	COST
State Senate 16 th District	\$2,000

CAMPAIGN FINANCIAL STATEMENTS (FPPC)

Fair Political Practices Commission (FPPC)

428 J Street, Suite 620
Sacramento, CA 95814

Technical Assistance: (866) ASK-FPPC (275-3772)

Fax: (916) 322-3711

www.fppc.ca.gov

Secretary of State Political Reform Commission

P.O. Box 1467

1500 - 11th Street, Room 495

Sacramento, CA 95814

Tel: (916) 653-6224

Fax: (916) 653-5045

www.sos.ca.gov

Federal Elections Commission (FEC)

(800) 424-9530

Tulare County Registrar of Voters

5951 South Mooney Blvd

Visalia, CA 93277

Telephone (ask for Lynnda): (559) 624-7300

Fax: (559) 737-4498

www.tularecoelections.org

E-mail Lynnda: lbboswell@co.tulare.ca.us



**Fair Political Practices Commission
Filing Schedule for
State Candidate Controlled Committees
Committees Primarily Formed to Support/Oppose Candidates for State Office
Senate District 16 Special Primary & General Elections
Being Voted on May 21 & July 23, 2013**

Deadline	Period	Form	Notes
Within 24 Hours <i>Contribution/Independent Expenditure Reports</i>	3/8/13 – 5/21/13 5/22/13 – 7/23/13 <i>(for general candidates)</i>	462 496 497	<ul style="list-style-type: none"> ▪ E-File only – no paper copy. ▪ 462: Primarily formed committees making independent expenditures (“IEs”) must file this form with the FPPC. (File Form 462 within 10 days.) ▪ 496: File if IEs totaling \$1,000 or more are <i>made</i>. Candidates: Do not file for expenditures made on your own committee’s behalf. ▪ 497: File if contributions totaling \$1,000 or more are <i>received</i>. ▪ 497: File if contributions totaling \$1,000 or more are <i>made</i> to a political party committee. ▪ The recipient of a non-monetary contribution during this period must file a Form 497 within 48 hours from the time the contribution is <i>received</i>.
Apr 11, 2013 <i>Pre-Election (Primary)</i>	1/1/13 – 4/6/13	460 465	<ul style="list-style-type: none"> ▪ 460: Paper filing and online for E-filers. ▪ 465: Primarily formed committees file if the committee made independent expenditures of \$1,000 or more in the period covered by the statement.
May 9, 2013 <i>Pre-Election (Primary)</i>	4/7/13 – 5/4/13	460 465	<ul style="list-style-type: none"> ▪ 460: Paper filing and online for E-filers. ▪ 465: Primarily formed committees file if the committee made independent expenditures of \$1,000 or more in the period covered by the statement. ▪ Paper filings must be sent by personal delivery or guaranteed overnight service only.
Jun 13, 2013 <i>Pre-Election (General)</i>	5/5/13 – 6/8/13	460 465	<ul style="list-style-type: none"> ▪ 460: Paper filing and online for E-filers. ▪ 465: Primarily formed committees file if the committee made independent expenditures of \$1,000 or more in the period covered by the statement.
Jul 11, 2013 <i>Semi-Annual/Pre-Election (General)</i>	6/9/13 – 7/6/13	460 465	<ul style="list-style-type: none"> ▪ 460: Paper filing and online for E-filers. ▪ 465: Primarily formed committees file if the committee made independent expenditures of \$1,000 or more in the period covered by the statement. ▪ The second pre-election and the semi-annual statements have been combined. ▪ Paper filings must be sent by personal delivery or guaranteed overnight service only.
July 31, 2013 <i>Semi-Annual</i>	5/5/13 – 6/30/13	460 465	<ul style="list-style-type: none"> ▪ Only required by candidates who were unsuccessful in the May 21, 2013, primary election.

Fair Political Practices Commission

Within 10 Business Days \$5,000 Report

Ongoing 497
File any time
other than
90-day
election
cycle.

- E-File only - no paper copy.
- E-filers only - file if a contribution of \$5,000 or more is received.
- Not required for committees primarily formed for a state candidate.

- **462:** Effective January 1, 2013, a committee making an independent expenditure of \$1,000 or more must file a verification form with the FPPC. The form may be [accessed here](#).
- **E-Filer:** A state committee that has received or made expenditures totaling \$25,000 or more since January 1, 2000.
- **Form 460:** All state committees must file paper reports. An E-Filer also files an online/electronic report.
- **Form 496/497:** All reports filed online only.
- **Where to File:** State committees file reports with the Secretary of State. Only candidate controlled committees that are not E-Filers file paper copies with the election official at the candidate's county of domicile.
- **Candidate Controlled Committees:** All committees controlled by a state candidate listed on the May/July ballot must file statements on each filing deadline, in addition to the committee formed for these elections.
- **Filing Deadlines:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to any 24-hour independent expenditure reports (Form 496) or to those 24-hour contribution reports (Form 497) that are due the weekend before the election. Such reports must be filed within 24 hours regardless of the day of the week. Statements filed after the deadline are subject to a \$10 per day late fine.
- **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.
- **Paper Filings:** All paper filings must be filed by personal delivery or first class mail unless otherwise noted.
- **Contribution Limits:** Contributions to state candidates are subject to contribution limits of \$4,100 per election. Refer to the contribution limit chart on the FPPC website. Some committees that feature state candidates in advertisements are also subject to contribution limits.
- **Prohibition on Candidate Independent Expenditures:** A controlled committee may not make independent expenditures to support or oppose candidates and may not contribute to another committee for the purpose of making independent expenditures to support or oppose other candidates.
- **Public Documents:** All forms are public documents. Campaign manuals and instructional materials available at www.fppc.ca.gov, click on the [Campaign](#) link.

ON-LINE DISCLOSURE STATEMENTS FOR STATE CANDIDATES

Candidates for elective state office and state ballot measure committees that are required to file electronically with the Secretary of State must file a report disclosing receipt of a contribution of \$1,000 or more from a single source received during the 90-day period before an election. These reports must be filed within 24 hours of receipt of the contribution. No paper copy is required to be filed except during the late contribution reporting period. (Gov. Code sect. 85309).

Committees that are required to file electronically with the Secretary of State must file a report disclosing each independent expenditure of \$1,000 or more made to support or oppose a state candidate during the 90-day period before an election. These reports must be filed within 24 hours of making the independent expenditure. No paper copy is required to be filed, except during the late independent expenditure reporting period. (Gov. Code sect. 85500).

All candidates for state legislative office who raise or spend \$50,000 or more must file their contribution and expenditure reports electronically and on paper. Log-on instructions and approved electronic filing vendors are posted on the Political Reform Division's page on the Secretary of State's website at www.ss.ca.gov.

Candidates may download all the latest campaign forms from the Fair Political Practices Commission's website at www.fppc.ca.gov, or the Secretary of State's website at www.ss.ca.gov/prd/prd.htm. Candidates may also call the Political Reform Division at (916) 653-6224. Please contact the Fair Political Practices Commission at (916) 322-5660 for all applicable contribution and spending limits as well as the latest online filing requirements.

FINES & WAIVERS

STRICT POLICY FOR LATE FPPC DISCLOSURE STATEMENTS

(The Secretary of State instituted this policy in April 1995)

For twenty years, the Political Reform Act has required timely disclosure of the financing of political campaigns and state lobbying.

Unfortunately, over the years there has been a large number of campaign statements filed after legally required deadlines. These late filings deny voters and the general public of important information that should be current and readily available.

Disclosure statements filed late are subject to fines. In the past, however, a substantial number of late fines have been waived.

Effective immediately, the Registrar of Voters will only consider waiver requests based upon specified “good cause” reasons for late filing. (A complete listing of “good cause” reasons and related documentation are listed on the next page).

Acceptable “good cause” reasons involve situations beyond a filer’s control, for example, incapacitating physical illness and natural disasters. The new rules for fine waiver requests are very specific and limited.

Examples of reasons for waiver request that are **NOT** “good cause” reasons and not acceptable:

- not being aware of law or its requirements
- not receiving notice of filing requirements
- not being available to sign forms
- not sending filing to proper official
- not knowing where to get forms
- not having complete information by filing deadline
- not picking up mail
- secretarial error

In addition, it is important to note that the Political Reform Act does not provide any exemptions for late fines if a filer fails to comply with written notification from a filing officer. Specifically, the Act mandates that late fines be imposed if after the filing officer has sent specific written notice of the filing requirement the campaign statements are not filed within 12 days before an election.

Finally, it is important to remember that the great majority of people who file campaign and lobbying statements comply with the law. Many individuals devote long and hard hours to ensuring that disclosure statements are complete, accurate and filed on time. Consequently, it is a simple matter of fairness to implement a more rigorous policy for waiving fines imposed on those filers who are not diligent.

“GOOD CAUSE” REASONS FOR WAIVING LATE FILING FEES for FPPC Campaign Disclosure Statements (Forms 460, 497, etc.)

The Registrar of Voters will consider a request to waive the payment of a late filing fee if the request is based on “good cause”.

Waiver Request

A request of waiver must be submitted on a Request for Waiver of Liability Form. The waiver request must be signed by the person(s) required to file the particular statement or report upon which the late filing fee was assessed. There are two categories of “good cause” for waiving late filing fees. These causes must relate to the person required to file the report or statement.

First Category of Good Cause

1. INCAPACITATION FOR MEDICAL REASONS

Adequate documentation consists of a doctor’s, psychologist’s, therapist’s or chiropractor’s statement giving the nature of the incapacitation, the date(s) thereof, and the individual’s name.

2. HOSPITALIZATION

Adequate documentation consists of a copy of the hospital bill or doctor’s statement showing the patient’s name and the date(s) of the hospitalization.

3. ACCIDENT INVOLVEMENT

If medical attention is provided and results in the late filing, a copy of the hospital bill, emergency room service, or doctor’s statement, showing the patient’s name and date(s) and time(s) of medical attention, is adequate documentation. If the accident involvement results in delay or vehicle disablement which caused the late filing, adequate documentation consists of a police report showing the individual’s name, the date and time of the accident, and if applicable, whether or not the vehicle was disabled.

4. DEATH

Adequate documentation consists of a copy of the death certificate or an obituary notice.

Second Category of Good Cause

The second category is defined as other unique, unintentional factors beyond the filer’s control not stemming from a negligent act or non-action. The factors are:

1. THE LOSS OR UNAVAILABILITY OF RECORDS

Due to a fire, flood, theft or similar reason. Adequate documentation shall consist of a police, fire or insurance report, containing the date of the occurrence and the extent of the loss or damage.

2. OTHER UNIQUE REASONS

These include compelling reasons beyond the filer’s control.

IMPORTANT THINGS TO REMEMBER

1. BE INFORMED

Study FPPC Manual 2. Local candidates should ask their Election Official about any local campaign restrictions.

2. 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.

3. MARK YOUR CALENDAR

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

4. KEEP GOOD RECORDS

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

5. \$100 OR MORE IN CASH?

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

6. USING PERSONAL FUNDS FOR CAMPAIGN EXPENSES

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

7. REPORT LATE CONTRIBUTIONS

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

8. ITEMIZE CONTRIBUTORS

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

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

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

10. IDENTIFY CANDIDATE/COMMITTEE ON MAILINGS

Include your 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.

11. NO PERSONAL USE OF CAMPAIGN FUNDS

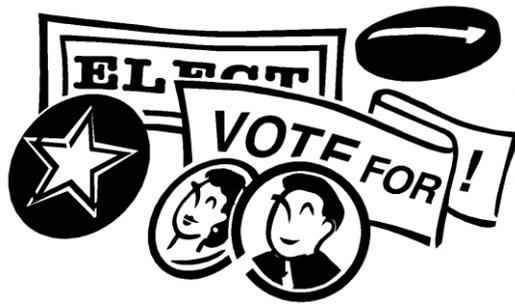
Use campaign funds only for political, legislative, or governmental purposes.

12. BE MORE INFORMED

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

(the above is not necessarily applicable to federal offices)

CAMPAIGN LAWS & REGULATIONS



POSTING POLITICAL SIGNS

State Rules

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

A Temporary Political Sign meets the following criteria:

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

A Statement of Responsibility form can be obtained from the County Elections Office and should be returned to: Department of Transportation, Division of Traffic Operations, Central California Outdoor Advertising Branch, P.O. Box 2048, Stockton, California, 95201. Their phone number is (209) 948-7869

Temporary Political Signs shall not be placed within the right-of-way of any highway, or be visible within 660 feet of 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.

(Information above obtained from the Department of Transportation letter re: regulation of "Temporary Political Signs" dated November 2005).

County Rules

[Contact the Tulare County Resource Management Agency (ask for Gary Myatt, Road Use Investigator) at (559) 624-7000 OR 5961 S. Mooney Boulevard in Visalia (across from Mooney Grove in the Government Plaza building)].

A posting of any kind on county property is prohibited. County property means any real or personal property owned, leased or operated by the County and includes County property leased or licensed to third parties. (Ordinance 3332, Section 2-09-1000 through 2-09-1025 – passed by Resolution 2006-0676 on 8/9/2006)

City Rules

Most cities have additional restrictions on the posting of political signs within their city limits. The following are excerpts from their ordinances. Please contact the numbers listed for more information or for a complete set of their rules.

City of Dinuba

A. Political Signs.

1. No person except a duly authorized public official shall erect any signs, outdoor advertising structure or display of any character upon any public property other than a public right-of-way and no such sign, outdoor advertising structure or display shall be erected or maintained within any city street right-of-way without first obtaining approval from the City in writing.

2. A sign permit shall be required to erect political sign within the city street right-of-way, upon receipt of an application and proof of the necessary liability insurance; the application shall be accompanied by a deposit to defer the cost of processing, inspecting and removal of the signs before and after any election.
 3. No political signs shall be erected prior to forty-five (45) days before the date of the election to which they pertain.
 4. Each person who obtains a permit for such political signs shall be responsible for the removal of all such signs within six (6) days after the polls have closed. After that date, the cost of removal of any sign or signs shall be assessed to the person who obtained the permit.
- (Section 17.72.17) For more information, call: (559) 591-5900, ask for Linda Barkley.

City of Lindsay

For information call the Code Enforcement Officer at (559) 562-2511.

City of Woodlake -No additional restrictions.

Gas Company Recommendations

When digging holes in order to post signs The Gas Company would like you to be aware that there are dangers of damaging gas and other utility lines. California One Call Law (Government Code 4216) requires that you call Underground Service Alert (USA) - two days prior to digging. USA is a simple free one-call notification service to notify all member utility companies of your planned excavation. After you have delineated the exact digging location with white spray paint, the utilities will mark any underground lines in the area that may be affected by the proposed excavation. Call 1-800-227-2600 or ask the Elections Office for a USA brochure.

Hanging Campaign Signs on Telephone or Utility Poles is Prohibited.

The unauthorized attachment to supply, street light or communication poles or structures of signs, posters, banners, decorations, or any other such equipment foreign to the purposes of overhead electric line construction is a violation of Public Utilities Commission General Order 95 (Rule 34-A1a). Further, candidates and their campaigns who put signs on utility or communication poles are liable for the cost of any repair or injury resulting from such posting. (Public Utilities Code §10251)

VOTER REGISTRATION DRIVES

Last Day to Register for May 21, 2013 Primary Election: May 6, 2013

Candidates are allowed to distribute and collect voter registration cards. Registration cards can be obtained at any time from the County Elections Office upon completion of a "Voter Registration Card Statement of Distribution Plans" form. The rules are as follows:

1. A person entitled to vote must be a U.S. citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least 18 years of age at the time of the election. Elections Code 2106.
2. No fee may be charged for registration. Elections Code 2121.
3. Completed voter registration cards received from voters shall be returned to the Election Official **within three (3) days**. Elections Code 2138.
4. On the day of the close of registration for any election, all organizations shall immediately return all completed affidavits of registration in their possession. Unused cards shall be returned upon completion of the distribution plan. Elections Code 2139.
5. If any person assists in completing an affidavit of registration, that person shall sign and date the affidavit below the signature of the voter. Elections Code 2150(d). Person assisting must also sign and deliver the stub and instructions to the voter. Elections Code 2158 (b)(1).

POLITICAL ADVERTISEMENT REQUIREMENTS

Any paid political advertisement that refers to an election or to any candidate for elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page, 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.

"Paid Political Advertisement" means 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 office. Elections Code 20008.

ELECTIONEERING (CAMPAIGNING) NEAR POLLING PLACES

No person, on election day, shall not be within 100 feet of a polling place:

- (1) Circulate an initiative, referendum, recall, nomination petition or any other petition.
- (2) Solicit a vote or speak to a voter on the subject of marking his or her ballot.
- (3) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications.
- (4) Do any electioneering.

As used in this section "100 feet of a polling place" means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots. These provisions also apply to campaign signs on or in a truck or car parked within 100 feet of a polling place.

Any person who violates any of the provisions of this section is guilty of a misdemeanor. Elections Code 18370.

SIMULATED BALLOT REQUIREMENTS

Every simulated ballot or Sample Ballot shall bear on each surface or page, in type or lettering at least half as large as the type of 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.

No simulated ballot or Sample Ballot 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. Elections Code 20009.

MASS MAILING OF CAMPAIGN LITERATURE

(Pursuant to Elections Code Section 16)

The following section of the Government Code does not constitute all of the law pertaining to this subject matter. However, Section 16 of the Elections Code requires that you be provided with the full text of this section at the time of filing your declaration of candidacy or petition for local initiative or referendum.

GOVERNMENT CODE 82041.5

“Mass mailing” means 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.

GOVERNMENT CODE 84305

- (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).

EXIT POLL TAKING

Exit poll taking must be at least 25 feet from the door of the polling place. (Daily Herald Co. v. Munro (1988) 838 F. 2d 380)

VOTE BY MAIL BALLOT APPLICATION DISTRIBUTION

Candidates are allowed to distribute Vote by Mail applications to voters and collect them for submission to the Elections Official. The master form is included in this booklet or can be obtained from the county elections official. The individual or group requesting the master is responsible for running their own copies.

Instructions for Individuals, Groups and Organizations Distributing Applications for Vote by Mail Ballots

1. Any individual, group, or organization distributing applications for Vote by Mail ballots must use the uniform format approved by the Secretary of State as provided by the Secretary of State or the County Elections Office. Failure to follow the uniform format is a crime. Elections Code 3007, 18402.
2. Information which may be preprinted. The individual, group or organization distributing the applications may pre-print the following information on the application form:
 - The name of the applicant – the name of the voter must be printed as it appears on the affidavit of registration.
 - The address of the applicant – the address of the voter must be printed as it appears on the affidavit of registration.
 - Other Information – The Elections Official may or may not preprint the name and date of the election; the deadline for receipt of the completed application by the Elections Official; the name of the county in which the applicant resides; the name, address and telephone number of the organization providing the form; and the name, address and telephone number of the Elections Official. If the Elections Official does not preprint this information, the individual, group or organization distributing the applications should preprint these items prior to distributing the applications to voters.
 - Voter Affidavit Number and/or Bar Code – If an individual, group or organization distributing forms with the voter’s name and residence address is preprinted, the number or bar code equivalent used by the Elections Official to identify a voter, may be required by that official to be preprinted in the box labeled “FOR OFFICIAL USE ONLY.”
3. Information which may NOT be preprinted on the application, but must be completed by the applicant.
 - Mailing Address – The address to which the actual Vote by Mail ballot shall be sent, if different than the residence address, may not be preprinted. The voter must complete this information.
 - Signature – The voter must sign the application for a Vote by Mail ballot.
 - Decline to State – Political Party (for Primary Elections) – The checkmark and the name of the political party (for Declined to State voters) shall be personally affixed by the voter. Elections Code 3006.
4. Statement Required. Any application that is preprinted must contain conspicuously printed the following statement – “You have the legal right to mail or deliver this application directly to the local Elections Official of the county in which you reside.” Elections Code 3006(b)(3).
5. Distributor Information. The name, address and telephone number of the individual, group, or organization distributing the application must be printed on the application form. Elections Code 3008.

6. Return of Applications. Any individual, group, or organization that distributes applications for Vote by Mail ballots and receives completed application forms from voters shall return the forms to the appropriate elections official within 72 hours of receiving the completed forms, or by the deadline for return of the Vote by Mail ballot applications, whichever is earlier. It is a crime to delay the proper return of a Vote by Mail ballot application. Elections Code 3008, 18576.

The applications may not be returned to the Secretary of State's office.

Failure to return completed applications in a timely manner to the appropriate Elections Official is a crime. Elections Code 18576.

7. Applications must be non-forwardable. Any Vote by Mail ballot application that is mailed to a voter by an individual, group or organization shall be non-forwardable. Elections Code 3008.
8. Vote by Mail ballots may not be sent to a Campaign Address. The requested mailing address to which a Vote by Mail ballot is to be sent may not be the address of any political party, political campaign headquarters, or a candidate's residence. Candidates as well as their families and other household members are, of course, exempt from this prohibition and may receive their own Vote by Mail ballots at the candidate's residence address. Elections Code 3006.
9. No Party Preference – Political Party in Primary Elections. The application shall inform the No Party Preference voter that he or she may request a Vote by Mail ballot for a particular political party for a primary election, but only if that political party has adopted a party rule, duly noticed to the Secretary of State, authorizing that vote. The application shall also contain a phone number that the voter may call to find out which parties have adopted such a rule. Elections Code 3006(c).

Prohibitions and Penalties Regarding the Vote by Mail Voting Process

1. It is a crime to interfere with anyone's lawful right to vote. Elections Code 18502.
2. It is a crime to pay, or offer to pay, a person any amount of money or to give them anything of value in exchange for their vote for a particular person or issue. Similarly, it is against the law to pay someone not to vote. Elections Code 18521-18524.
3. It is a crime to violate the secrecy of the ballot, or otherwise tamper with ballots or the voting system. Elections Code 18562-18564.
4. It is a crime to willfully interfere with the prompt delivery to the Elections Official of a completed application for a Vote by Mail ballot. Elections Code 18576.
5. Unless authorized by the voter, it is a crime for a third party to retain a completed application for a Vote by Mail ballot for more than 3 days (excluding weekends and holidays) or beyond the deadline for applying, whichever is earlier. Elections Code 18576.
6. It is a crime to deny a voter the right to return his or her application for a Vote by Mail ballot to the Elections Official. Elections Code 18576.
7. It is a crime to interfere with the prompt return of a voted Vote by Mail ballot (Elections Code 18577) or to vote or attempt to vote a fraudulent Vote by Mail ballot. Elections Code 18578.
8. It is a crime to do any electioneering (work for the election of a candidate or measure), or otherwise attempt to influence a voter, at the time he or she is voting a Vote by Mail ballot. Elections Code 18371.
9. Vote by Mail ballot return envelopes are signed under penalty of perjury, a violation of which can result in prison term. Penal Code 126.
10. It is a crime, punishable by imprisonment, to vote more than once in any election. Elections Code 18560.

FREQUENTLY ASKED QUESTIONS



WHERE TO REPORT CAMPAIGN COMPLAINTS

1. **Where do I report false or misleading campaign materials?** No agency enforcement. These issues are dealt with in court.
2. **Where do I report violations of the Political Reform Act?** (Title 9 of the California Government Code at Sections 81000 through 91015), i.e. mass mailing requirements; slate mailers; campaign disclosure; proper use of campaign funds; disclosure of economic interests; contact the Fair Political Practices Commission at www.fppc.ca.gov or 800-561-1861.
3. **Where do I report election fraud?** Contact your local district attorney at (559) 636-5494 or the California Secretary of State at www.sos.ca.gov or 916-657-2166.
4. **Where do I report unlawful use of public funds, violations of the Elections Code, the Penal Code, or any laws other than the Political Reform Act?** Contact your local district attorney at (559) 636-5494 or the California State Attorney General at www.caag.state.ca.us or 800-952-5225.
5. **Where do I report problems with a federal campaign like Congress, U.S. Senate, or President of the United States?** Contact the Federal Election Commission at www.fec.gov or 800-424-9530.
6. **Where do I report violations of the open meeting laws (Brown Act)?** Contact your local district attorney at (559) 636-5494 or the California State Attorney General at www.caag.state.ca.us or 800-952-5225.
7. **Where do I get information on local ordinances?** Contact your local city attorney or the District Attorney at (559) 636-5494.
8. **Where do I report vandalism or get requirements concerning campaign signs?** Contact local city attorney or Tulare County District Attorney at (559) 636-5494.

FEDERAL & STATE ENFORCEMENT OFFICES

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

Reporting Enforcement Violations
800-561-1861

Secretary of State
Elections Division
1500 11th Street, Fifth Floor
Sacramento, CA 95814
916-657-2166 | FAX 916-653-3214

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

Federal Election Commission
999 E Street, NW
Washington, DC 20463
800-424-9530
Hearing Impaired - TTY 202-219-3336

Attorney General
P.O. Box 944255
Sacramento, CA 94244-2550
916-445-9555 | 800-952-5225

CANDIDATE FILING

1. **Is the Elections Office open during the lunch hour?** Yes. Office hours are 7:30 a.m. to 5:30 p.m. on Monday through Thursday. On Friday we are open 8:00 a.m. to noon except on the last day to file nomination papers (a Friday); we are open until 5:00 p.m.
2. **When is the candidate nomination extension period and can an incumbent file nomination documents during an extension period?** The candidate nomination extension period is the Monday, Tuesday and Wednesday following the end of the regular nomination period. An incumbent can't file during an extension period as it is only for any other candidate to pick up and file their nomination documents.
3. **How can I find out who else has filed for my contest?** This is public information. You can obtain this information by viewing the log at the Elections Office, calling or going to our website at www.tularecoelections.org. The Candidate List on our website is updated every day between 4:30 p.m. and 5:30 p.m.
4. **What happens if I am the only candidate to file for an office?** In most cases if there are insufficient nominees for a contest (no competition), those candidates that filed will be appointed in lieu of election (they shall qualify and take office and serve as if elected) and the contest will not appear on the ballot. Note: this rule does not necessarily apply to judicial, county or city offices.
5. **What if I change my mind about being a candidate after filing nomination papers?** You may withdraw as a candidate at any time prior to the close of the nomination period. After that date you are not permitted to officially withdraw and your name will appear on the ballot. Elections Code 10510.
6. **I am really busy, is there a way to make the candidate filing process faster?** Yes. You can make an appointment before coming in to pick up your nomination documents so we can have your nomination papers already printed out and ready when you get here. Typically, for contests that don't require nomination signatures, the process in the Elections Office can be done in about 15 minutes.
7. **May I change or correct the wording or spelling on my candidate statement after it has been filed?** No, you may not make any changes to your candidate's statement once it has been filed. Check your candidate statement carefully before filing. No responsibility or liability is assumed by the Elections Official for errors in spelling, punctuation, grammar, etc. The statement is entirely the candidate's responsibility.
8. **If I file a voluntary candidate statement and I change my mind, may I withdraw the statement and receive a refund?** Yes, with certain conditions. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period. If you withdraw your statement within this time frame, you will receive a refund. After this time frame, your statement cannot be withdrawn, nor a refund given. (Elections Code 13307(3)) Candidate statements are not printed if the contest does not go to the ballot. Additionally, when filing the statement, the candidate can indicate no statement is to be printed if no other candidate files for that contest.

¹ Please note, even though our office will be open until 5:30 PM, the 5:00 PM deadline is specified in the Elections Code.

ELECTION NIGHT

1. **How can I get election night results?** The Elections Office will be glad to add you or your campaign committee onto our election night e-mail list. The latest election result report is attached to the e-mail and sent out as results are updated throughout the evening. If you prefer, the same results are also updated on our website throughout the evening. Printed reports are also available at our front counter.
2. **Can I come to the Elections Office on election night to watch the process?** Yes. The election process is open to the public.
3. **What time do you release the first report on election night?** The Elections Office will release the first report at about 8:05 on election night. The first report usually includes all Vote By Mail and mail precinct ballots received up to the day before the election. The remaining Vote By Mail and mail precinct ballots received through 8:00 p.m. on election night are processed during the official canvass and those results are included in the official certified results after Election Day.
4. **When are you usually done counting on election night?** It is the goal of the Tulare County Elections Office to have our election night final report released before 11:00 p.m.
5. **If I have the most votes on election night, do I win?** The final results announced on election night are not the final certified results. On Election Day, there are sometimes thousands of Vote By Mail and provisional ballots turned in at the polls that require processing before being included in the final certified count. Law allows the Elections Office up to 20 and sometimes 28 calendar days to finish counting all the ballots and complete our canvass of the election. Our office attempts to provide periodic updates on our webpage of updated results as well as our progress towards certifying the election. The election results are not final until the official certified results are released.
6. **Will I be notified that I have won?** No, not by the Elections Office. After the final official certified results are complete, Certificates of Election and Oaths of Office are sent to the district office, administrative office or county department, depending upon the contest. The district or department will usually take care of the swearing in ceremony, if any, and notification.



VOTE BY MAIL PROCESS

1. If a voter loses the Vote by Mail ballot that was sent to them, can they get another one?

YES. Call the Elections Office for a replacement ballot. Elections Code 3014.

The Elections Official maintains a record of each request, and provides a list of these requests to the polling place to ensure that each voter casts only one ballot. If you vote twice by Vote by Mail ballot, even if by mistake, neither ballot will be counted. Elections Code 18560.

2. Can I give my voted “Vote by Mail” ballot to someone else to return for me?

If you are ill, or have a physical disability, you may designate a relative (spouse, child, parent, grandparent, grandchild, brother, sister or other person living in the same household) to return your voted ballot for you. Your relative may return it in person to the Elections Office or to a polling place in your county, or may place it in the mail for return to the Elections Official. Contact your county elections official for more information. Elections Code 3017.

3. If I request a Vote by Mail ballot, can I change my mind and still vote at my regular polling place?

YES. You must bring your non-voted Vote by Mail ballot and give it to the polling place worker before voting a regular ballot. Elections Code 3015.

If you are unable to surrender your Vote by Mail ballot, you may still cast a “provisional” ballot at your polling place which will not be counted until the County Elections Official can determine that you have not also voted by Vote by Mail ballot. Elections Code 3016 and 14310.

4. How are Vote by Mail ballots counted?

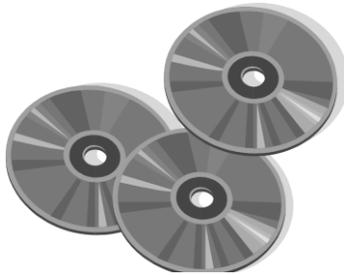
In general, Vote by Mail ballots are counted the same as regular ballots cast at a polling place. Once it is determined that the signature on the Vote by Mail ballot return envelope matches the signature of the voter on his or her voter registration card, the ballot and the envelope are separated. The processing of Vote by Mail ballot return envelopes, and the counting of Vote by Mail ballots shall be open to the public, both prior to and after the election. Elections Code 15101 & 15104(a).

If the Vote by Mail ballot is challenged, and that challenge is upheld, the ballot remains in the envelope, is not counted, and the reason is indicated on the envelope. Elections Code 15105 & 15108.

The first results you are likely to hear reported on election night usually reflect votes cast by Vote by Mail ballot. These, however, are not complete totals and may reflect only those Vote by Mail ballots returned prior to Election Day. Those ballots received prior to Election Day can be “processed” (i.e. verify the signature, etc.) within the seven (7) business days prior to an election. Under no circumstance may a vote count be accessed or released until the polls close on Election Day. Elections Code 15101.

A substantial number of additional Vote by Mail ballots are returned on Elections Day either to the polling place or to the Elections Office. These ballots, because they require the extra handling of checking the voter’s signature, and ensuring the voter did not also vote at the polling place, are usually the last ballots counted, and are not likely to be reported in the vote totals until after the Election Day. Elections Code 3102.

SERVICES AVAILABLE TO CANDIDATES



TULARE COUNTY ELECTIONS DIVISION FEES & CHARGES

(Board approved on April 26, 2011; effective July 1, 2011)
All prices subject to taxes where applicable.

VOTER & ELECTION INFORMATION			
Description of File	Cost	Unit	Additional Charges
Electronic Files			
Voter File Extract (MVMJ004)			
Less than 20,000 Registered Voters	\$27.85	Per District	CD \$2 each E-Mail or FTP \$0
History (up to 5 elections)	\$27.85	Per Election	
History (all elections)	\$139.25		

More than 20,000 Registered Voters	\$55.70	Per District	CD \$2 each E-Mail or FTP \$0
History (up to 5 elections)	\$55.70	Per Election	
History (all elections)	\$278.50		
Statement of Vote (one election per file)			CD \$2 each E-Mail or FTP \$0
- TXT File Versions (comes with PDF version)	\$27.85	Per File	
- PDF File Version only	\$5.00		
All Other Election Data Extracts	\$27.85	Per File	CD \$2 each E-Mail or FTP \$0
Printed Data			
Statement of Vote (full book format)	Varies	Total cost for copying and binding report.	
Computer Printed Reports or Lists			
50 pages or less	\$27.85	Per Request	CD \$2 each E-Mail or FTP \$0
More than 50 pages	\$0.10	Per Page (over 50)	
Precinct Index (MVMR10)	\$0.50	Per 1000 Reg Voters	CD \$2 each E-Mail or FTP \$0
Labels			
Setup Fee	\$27.85	Per File	CD \$2 each E-Mail or FTP \$0
+ Label Cost	\$12.00	Per 1000 labels	
VBM & Mail Precinct Information AVMJ004 - AVMJ011			
Data Received Daily (17 days) Setup + Media Charge	\$473.45	Per Election	Labels \$12 per 1000 CD \$2 each E-Mail or FTP \$0
Data Received Individual (limit 4 per election) Setup + Media Charge	\$27.85	Per File	
Copy Charges			
Political Reform Documents	\$0.10	Per page (Govt. Code 81008)	CD, E-Mail & FTP not available

VOTER & ELECTION INFORMATION

Description of File	Cost	Unit	Additional Charges
Retrieval Fee-Political Reform Document (reports & statements 5 or more years old)	\$5.00	Per request (Govt. Code 81008)	CD, E-Mail & FTP not available
Affidavit of Registration	\$1.50	Each (Elections Code 2167)	CD, E-Mail & FTP not available
Other Documents or Printed Reports	\$0.10	Per page	
Statement of Vote	\$0.10	Per Page	
Media Costs			
C.D.	\$2.00	Each	
Labels	\$12.00	Per 1000 labels	After setup fee
All Other Election Data Extracts	\$27.85	Per File	CD \$2 each E-Mail or FTP \$0
Maps			
Paper Maps - Color or Black & White 8 ½" x 11" or 8 ½" x 14" 11" x 17	\$2.00 \$7.00	Each (existing maps only)	CD, E-Mail & FTP not available
Electronic Maps	\$30.00	Each (existing maps only)	CD \$2 each E-Mail or FTP \$0
All other maps and mapping services		Please see GIS department	
Misc Fees			
Returned Check	\$15.75	2001-0147 Government Code 6157(b)	

CONFIDENTIAL VOTER DATA

The street address, telephone number, precinct number and certain other information about registered voters is confidential under California law, and the Elections Office is prohibited from publicly disclosing that information to any person except for specified purposes. We can release the information to: any candidate for federal, state, or local office; any committee for or against any initiative, referendum, recall or bond measure for which legal publication is made; any person for **election, scholarly, journalistic, or political purposes**; and any person for **governmental purposes**, as determined by the Secretary of State. (*California EC § 2187, 2188, and 2194*)

WHAT IS NEEDED TO ORDER CONFIDENTIAL VOTER DATA?

Before the Elections Office may publicly disclose confidential voter information to a requester, the requester must complete and sign, under penalty of perjury, an Application for Voter Registration Information Form, and include the following: a copy of the requester's driver's license, state identification card or other identification approved by the Secretary of State; payment for the cost of the file/data (cash, check or money order), AND provision for shipping and/or delivery, either in payment for shipping costs (providing your FedEx account number is recommended) or instructions as to how to deliver data (for example, how to notify requester when data is available for pickup).

PAYMENT

Payment can be made in the form of cash, check, or money order. We do not accept credit cards or debit cards. Payment must be received by the Elections Office **BEFORE** we will begin processing your request.

ORDERING VOTER OR ELECTION DATA THAT DOES NOT REQUIRE AN APPLICATION

As on the chart above showing what data is available, not all data requires an Application for Voter Registration Information Form. If the data requested does not require an Application, simply put your request in writing, being as specific as possible. Be sure to specify how you prefer the data to be delivered as well as a contact name and number in case of any questions.

RESTRICTIONS ON PURCHASING A PRECINCT INDEX

The County Elections Office has a listing of all registered voters by district at the cost of \$.50 per thousand registered voters (\$.50 minimum). The listing is sorted by precinct, then by residential address, and name. It also shows political party and telephone number, if provided by the voter. This list is designed for precinct walking or phone banks, but does not have mailing addresses so is not recommended for use in mailing political material. The Elections Code has limited the number of precinct indexes a candidate or his/her campaign may purchase to two (2) per registration reporting close.

Two (2) precinct indexes may be purchased in each of the time frames listed below:

- * 113 and 60 calendar days before the election
- * 59 and 15 calendar days before the election
- * the last 15 days before the election



VOTE BY MAIL BALLOT APPLICATION / SOLICITUD DE BOLETA DE VOTO POR CORREO MAY 21, 2013 SPECIAL PRIMARY ELECTION Eleccion Primaria Especial 21 de mayo 2013 If Returned By Mail, Application Must Be Received By May 14, 2013 / Si envía la solicitud por correo, la tenemos que recibir antes del 14 de mayo 2013.	PCT #: _____ BN#: _____ BT: _____ INITIALS: _____ Date: _____ Pty: _____
1. NAME: <i>(Nombre)</i> _____	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <input type="checkbox"/> Permanent Vote by Mail Voter Check here to become a Permanent Vote by Mail Voter. State Law now allows any voter who so requests, to be a Permanent Vote by Mail Voter. If you check the box above, a Vote by Mail ballot will automatically be sent to you for future elections. Failure to vote in two consecutive statewide general elections will cancel your Permanent Vote by Mail Voter Status and you will need to reapply. If you have questions concerning voting by Vote by Mail Ballot, telephone (559) 624-7300. </div> <div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> Votante por Correo Permanente Marque aquí para ser un votante por correo permanente. La ley estatal ahora permite que todos los votantes que lo soliciten sean votantes por correo permanentes. Si marca la casilla de arriba recibirá automáticamente una boleta de voto por correo en elecciones futuras. Si no vota en dos elecciones generales estatales consecutivas pierde su condición de votante por correo permanente y tendrá que volver a solicitarla. Si tiene alguna pregunta sobre el voto por correo, llame al (559) 624-7302. </div>
2. DATE OF BIRTH: ____/____/____ 3. E-mail: _____ <i>(fecha de nacimiento)</i> <i>(correo electrónico)</i>	
4. HOME ADDRESS IN TULARE COUNTY (Do not use P.O. Box Number or other mailing address): Domicilio particular en el Condado de Tulare (No use un número de casilla de correo ni otra dirección postal): _____ Number and Street <i>(Número y calle)</i> _____ City <i>(Ciudad)</i> State <i>(Estado)</i> Zip Code <i>(Código postal)</i>	
5. TELEPHONE: <i>(Teléfono)</i> (____) _____ (____) _____ Daytime <i>(día)</i> Evening <i>(noche)</i>	
6. MAILING ADDRESS FOR BALLOT (If different from address to which this form was mailed): Dirección postal donde desea que le envíen la boleta (Si no es la misma a la que se envió este formulario): _____ Number and Street or P.O. Box Number <i>(Número y calle o número de casilla de correo)</i> _____ City <i>(Ciudad)</i> State <i>(Estado)</i> Zip Code <i>(Codigo postal)</i>	
7. SIGNATURE: This application will not be accepted without the proper signature of the applicant. FIRMA: Esta solicitud no se aceptará sin la firma correspondiente del solicitante. _____ Voter must affix own signature (El votante deberá firmar de su propio puño y letra) Date <i>(Fecha)</i>	

VOTE BY MAIL BALLOT APPLICATION / SOLICITUD DE BOLETA DE VOTO POR CORREO MAY 21, 2013 SPECIAL PRIMARY ELECTION Eleccion Primaria Especial 21 de mayo 2013 If Returned By Mail, Application Must Be Received By May 14, 2013 / Si envía la solicitud por correo, la tenemos que recibir antes del 14 de mayo 2013.	PCT #: _____ BN#: _____ BT: _____ INITIALS: _____ Date: _____ Pty: _____
1. NAME: <i>(Nombre)</i> _____	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <input type="checkbox"/> Permanent Vote by Mail Voter Check here to become a Permanent Vote by Mail Voter. State Law now allows any voter who so requests, to be a Permanent Vote by Mail Voter. If you check the box above, a Vote by Mail ballot will automatically be sent to you for future elections. Failure to vote in two consecutive statewide general elections will cancel your Permanent Vote by Mail Voter Status and you will need to reapply. If you have questions concerning voting by Vote by Mail Ballot, telephone (559) 624-7300. </div> <div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> Votante por Correo Permanente Marque aquí para ser un votante por correo permanente. La ley estatal ahora permite que todos los votantes que lo soliciten sean votantes por correo permanentes. Si marca la casilla de arriba recibirá automáticamente una boleta de voto por correo en elecciones futuras. Si no vota en dos elecciones generales estatales consecutivas pierde su condición de votante por correo permanente y tendrá que volver a solicitarla. Si tiene alguna pregunta sobre el voto por correo, llame al (559) 624-7302. </div>
2. DATE OF BIRTH: ____/____/____ 3. E-mail: _____ <i>(fecha de nacimiento)</i> <i>(correo electrónico)</i>	
4. HOME ADDRESS IN TULARE COUNTY (Do not use P.O. Box Number or other mailing address): Domicilio particular en el Condado de Tulare (No use un número de casilla de correo ni otra dirección postal): _____ Number and Street <i>(Número y calle)</i> _____ City <i>(Ciudad)</i> State <i>(Estado)</i> Zip Code <i>(Código postal)</i>	
5. TELEPHONE: <i>(Teléfono)</i> (____) _____ (____) _____ Daytime <i>(día)</i> Evening <i>(noche)</i>	
6. MAILING ADDRESS FOR BALLOT (If different from address to which this form was mailed): Dirección postal donde desea que le envíen la boleta (Si no es la misma a la que se envió este formulario): _____ Number and Street or P.O. Box Number <i>(Número y calle o número de casilla de correo)</i> _____ City <i>(Ciudad)</i> State <i>(Estado)</i> Zip Code <i>(Codigo postal)</i>	
7. SIGNATURE: This application will not be accepted without the proper signature of the applicant. FIRMA: Esta solicitud no se aceptará sin la firma correspondiente del solicitante. _____ Voter must affix own signature (El votante deberá firmar de su propio puño y letra) Date <i>(Fecha)</i>	

PLEASE PRINT IN INK OR TYPE

STATE OF CALIFORNIA-BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN JR., Governor

DEPARTMENT OF TRANSPORTATION

DIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM



Dear Candidate or Committee Member:

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

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

A Temporary Political Sign meets the following criteria:

- A. Encourages a particular vote in a schedule 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:

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

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

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

Should you have any questions, comments or need additional information, please call (916) 651-9327.

Enclosure

DEPARTMENT OF TRANSPORTATION

DIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM



**STATEMENT OF RESPONSIBILITY FOR TEMPORARY
POLITICAL SIGNS**

Election Date: _____ June _____ November Other: _____

Candidate's Name: _____

Office sought or Proposition Number: _____

County where sign(s) will be placed: _____

Number of signs to be placed: _____

RESPONSIBLE PARTY:

Name: _____

Address: _____

Phone Number (Include Area Code) _____

The undersigned hereby accepts responsibility for the removal of Temporary Political Signs placed pursuant to Section 5405.3 of the Outdoor Advertising Act for the above candidate or proposition.

It is understood and agreed that any Temporary Political Signs placed sooner than ninety (90) days prior to the election and/or not removed within ten (10) days after the election, may be removed by the Department and the responsible party will be billed for any associated removal costs.

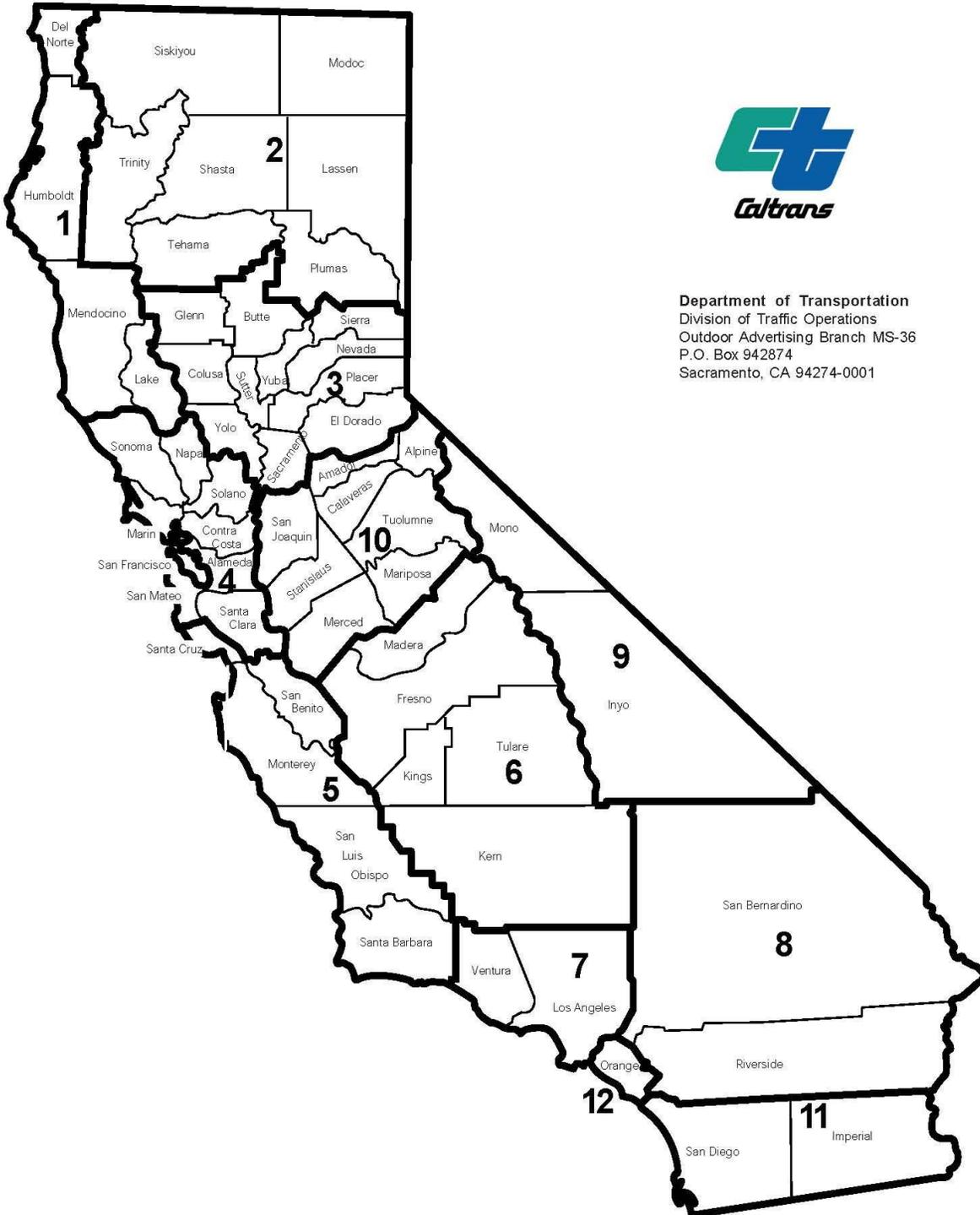
SIGNATURE OF RESPONSIBLE PARTY

DATE

Mail Statement of Responsibility to:

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

OUTDOOR ADVERTISING DISPLAY



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

NOTES

2013

January

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February

SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

March

SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April

SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June

SUN	MON	TUE	WED	THU	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July

SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August

SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November

SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				