

CANDIDATE FILING GUIDE

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT TRUSTEE AREA 5

**SPECIAL VACANCY ELECTION
NOVEMBER 2, 2021**

**COMPILED BY:
SAN DIEGO COUNTY REGISTRAR OF VOTERS**

**5600 Overland Ave., SUITE 100
SAN DIEGO, CA 92123**

**PHONE: 858-505-7260
FAX: 858-505-6876
WEBSITE: sdvote.com**

TABLE OF CONTENTS

Filing Guide Information.....	2
Public Review Period.....	3
Election Violations.....	4
Calendar of Events	5
Campaign Disclosure Schedule.....	6
General Qualifications	8
Nomination Process.....	9
Filing Documents/Candidate Statement Guidelines	10
Ballot Designation Worksheet.....	12
Code of Fair Campaign Practices.....	18
Write-In Candidates	20
Political Advertisements/Mass Mailings.....	21
Sign Regulations.....	23

COUNTY OF SAN DIEGO - REGISTRAR OF VOTERS

5600 Overland Avenue
San Diego, California 92123
(858) 565-5800
sdvote.com

Office Hours: 8 a.m. to 5 p.m.; Monday through Friday (excluding state/county holidays)

FILING GUIDE INFORMATION

This Candidate Filing Guide has been prepared to assist you in filing documents relating to the election. It includes a calendar of events and summary of provisions and filing requirements. It is not intended to provide legal advice and is for general guidance only.

Please note that it is not within the purview of this office to determine whether a candidate meets the requirements for holding office. Individuals with questions concerning their own or other candidate qualifications or other related matters should seek legal counsel.

No duty is imposed upon the Registrar of Voters to determine whether a candidate meets the requirements for holding office. The Declaration of Candidacy that each candidate must sign states that the candidate meets the statutory and/or constitutional qualifications for office including, but not limited to, citizenship, residency, and party preference, if applicable.

Candidates and others using this Guide must bear full responsibility to make their own determinations as to all legal standards, duties and factual material contained therein.

IMPORTANT NOTICE
Public Review Period
Set for the
NOVEMBER 2, 2021
SPECIAL VACANCY ELECTION

State law provides for a “public review period” of all candidate ballot designations and candidate statements of qualifications before printing the Sample Ballot and Voter Information Pamphlet.

During this period, any voter who believes any portion of these materials to be false, misleading or inconsistent with state law may seek a writ of mandate or injunction requiring any or all of the material to be amended or deleted.

The period for this election is **August 7 through August 16, 2021** any court challenges must be resolved **67 days (August 27, 2021) before Election Day** in order for there not to be any delays in printing the ballot and impacting the administration of the election.

**All documents will be available for public review
at the Registrar of Voters Office during regular business hours.**

KNOW OF AN ELECTION VIOLATION?

Here's Who to Call

In response to the many inquiries, we receive regarding possible election violations or fraud, a list has been compiled regarding who to contact for the various types of violations.

The San Diego County Registrar of Voters is **NOT** an enforcement agency and is therefore unable to investigate any violations. Reports of violations should be referred to the agencies listed below:

- **False or misleading campaign materials:** No agency enforcement; these issues are dealt with in court.
- **Violations of the Political Reform Act** (Title 9 of the California Government Code in 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 fppc.ca.gov, 866-275-3772.
- **Election Fraud:** -Contact the District Attorney, 619-531-4051, or the California Secretary of State at sos.ca.gov, 916-657-2166.
- **Unlawful Use of Public Funds, violations of the Elections Code, the Penal Code, or any laws other than the Political Reform Act:** -Contact the District Attorney, 619-531-4051, or the California State Attorney General at oag.ca.gov, 800-952-5225.
- **Federal Campaigns, Congress, U.S. Senate, President of the United States, etc.:** Contact the Federal Election Commission at fec.gov, 800-424-9530.
- **Open Meeting Laws (Brown Act):** -Contact the District Attorney, 619-531-4051, or the California State Attorney General at oag.ca.gov, 800-952-5225.
- **Local Ordinances:** -Contact your local city attorney or the District Attorney, 619-531-4051.
- **Vandalism:** -Contact your local police department or the Sheriff, as appropriate.
- **Requirements concerning campaign signs:** -See the list of contacts in this Guide.

FEDERAL / STATE / LOCAL ENFORCEMENT OFFICES	
Fair Political Practices Commission 1102 Q Street, Suite 3000 Sacramento, CA 95811 Phone: 866-275-3772 FAX: 916-322-0886 fppc.ca.gov	Secretary of State Political Reform Division 1500 11 th Street, Room 495 Sacramento, CA 95814 Phone: 916-653-6224 sos.ca.gov
Federal Election Commission 1050 First Street, NE Washington, DC 20463 Phone: 800-424-9530 fec.gov For the hearing impaired, TTY 202-219-3336	Attorney General PO Box 944255 Sacramento, CA 94244-2550 Phone: 916-445-9555/800-952-5225 oag.ca.gov
San Diego County District Attorney's Office 330 West Broadway, Ste. 1020 San Diego, CA 92101 Phone: 619-531-4051 FAX: 619-237-1351 sdcca.org	Federal Bureau of Investigation Federal Office Building 10385 Vista Sorrento Pkwy San Diego, CA 92121-2703 Phone: 858-320-1800 fbi.gov

CALENDAR OF EVENTS

SPECIAL VACANCY ELECTION – NOVEMBER 2, 2021

DATE	DAYS BEFORE ELECTION	EVENT
July 12	113	NOMINATION PERIOD - FIRST DAY First day nomination papers for local districts may be issued. (E.C. Sec. 10603)
August 6	88	NOMINATION PERIOD - LAST DAY No later than 5 p.m. on this day, all candidates must file nomination papers and candidate's statement of qualifications. (E.C. Sec. 10603)
August 6	88	CANDIDATE WITHDRAWAL No candidate who has filed may withdraw after 5 p.m. on this date. (E.C. Sec. 10603)
August 7 Through August 16	87 to 78	REVIEW PERIOD FOR CANDIDATE STATEMENTS OF QUALIFICATIONS AND BALLOT DESIGNATIONS During this period, Candidate Statements of Qualifications and Ballot Designations will be available for public examination. The Candidate Statements and Ballot Designations will be available at the Registrar of Voters' Office. During this timeframe, any person may file a writ of mandate or an injunction to require any or all of the material in a Candidate's Statement to be amended or deleted. For candidate names and ballot designation, a writ may also be filed. (E.C. Sec. 13313, 13314)
August 9	85	CANDIDATE STATEMENTS OF QUALIFICATIONS WITHDRAWAL May be withdrawn, but not changed, until 5 p.m. Withdrawal request must be in writing and signed by the candidate. (E.C. Sec. 13307)
August 12	82	RANDOM ALPHABET There shall be a random drawing of the alphabet at 11 a.m. to determine the order in which candidates' names appear on the ballot. (E.C. Sec. 13112)
September 7*	56	WRITE-IN CANDIDATES – FIRST DAY First day nomination papers for a write-in candidate may be issued. (E.C. Sec. 8601)
October 18	15	VOTER REGISTRATION DEADLINE Last day to register to vote in the Special Election. (E.C. Sec. 2102)
October 19	14	WRITE-IN CANDIDATES – LAST DAY Last day for a person desiring to be a qualified write-in candidate to file the required documents with the elections official. (E.C. Sec. 8601)
November 2	0	ELECTION DAY Any Vote By Mail ballot cast shall be timely cast if it is postmarked by Election Day and is received via the United States Postal Service or a bona fide private mail delivery company no later than three days after election day. (E.C. Sec. 3020 (b) Section 1 and 2)
December 2	+30	ELECTION CERTIFICATION The Registrar of Voters shall complete the official canvass <u>no later than</u> this date. (E.C. Sec. 15372)

* The legal date falls on a holiday when our office is closed. The date listed is the next business day.

Fair Political Practices Commission

Filing Schedule for Candidates and Controlled Committees for Local Office Listed on the November 2, 2021 Ballot

Deadline	Period	Form	Notes
Aug 2, 2021 Semi-Annual	* – 06/30/21	460 or 470	<ul style="list-style-type: none"> Each candidate listed on the ballot must file Form 460 or Form 470 (see below). Form 470: Candidates who filed candidacy papers on or before June 30, who do not have open committees, and who will not raise or spend \$2,000 or more in 2021, file Form 470.
Within 24 Hours Contribution Reports	8/4/21 – 11/2/21	497	<ul style="list-style-type: none"> File if a contribution of \$1,000 or more in the aggregate is received from a single source. File if a contribution of \$1,000 or more in the aggregate is made to or in connection with <i>another</i> candidate or measure being voted upon November 2, 2021. The recipient of a non-monetary contribution of \$1,000 or more in the aggregate must file a Form 497 within 48 hours from the time the contribution is received. File by personal delivery, e-mail, guaranteed overnight service, or fax. The committee may also file online, if available.
Sept 23, 2021 1 st Pre-Election	7/1/21 – 9/18/21	460 or 470	<ul style="list-style-type: none"> Each candidate listed on the ballot must file Form 460 or Form 470 (see below).
Oct 21, 2021 2 nd Pre-Election	9/19/21 – 10/16/21	460	<ul style="list-style-type: none"> All committees must file this statement. File by personal delivery or guaranteed overnight service. The committee may also file online, if available.
Jan 31, 2022 Semi-Annual	10/17/21 – 12/31/21	460	<ul style="list-style-type: none"> All committees must file Form 460 unless the committee filed termination Forms 410 and 460 before Dec 31, 2021.

Additional Notes:

- * Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- Local Ordinance:** Always check on whether additional local rules apply.
- Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to a 24-Hour/10-Day Contribution Report (Form 497) that is due the weekend before the election, and this extension never applies to any 24-Hour/10-Day Independent Expenditure Report (Form 496). Such reports must be filed within 24 hours, regardless of the day of the week.
- Method of Delivery:** All paper filings may be filed by first class mail unless otherwise noted. A paper copy of a statement may not be required if a local agency requires online filing pursuant to a local ordinance.
- Form 501:** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.

Fair Political Practices Commission

- **Form 460:** Candidates who have raised/spent \$2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent.
- **Form 470:** Candidates who do not raise or spend \$2,000 or more (or anticipate raising or spending \$2,000 or more) in 2021 and do not have an open committee must file Form 470 on or before September 23, 2021. If, later during the calendar year, the candidate raises or spends \$2,000 or more, a Form 470 Supplement and a Form 410 must be filed.
- **Independent Expenditures:** Committees making independent expenditures totaling \$1,000 or more to support or oppose other candidates or ballot measures also file:
 - [462](#): This form must be e-mailed to the FPPC within 10 days.
 - [496](#): This form is due within 24 hours if made in the 90-day, 24-hour reporting period of the candidate's or measure's election. Refer to the applicable filing schedule. Form 496 is filed with the filing officer in the jurisdiction of the affected candidate or measure.
- **After the Election:** Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See [Campaign Disclosure Manual 2](#) for additional information.
- **Public Documents:** All statements are public documents.
- **Resources:** Campaign manuals and other instructional materials are available [here](#). Or, visit www.fppc.ca.gov > Learn > [Campaign Rules](#).

GENERAL QUALIFICATIONS TO RUN FOR AND HOLD PUBLIC OFFICE

AGE/ CITIZENSHIP	A person is incapable of holding a civil office if at the time of his/her election or appointment he/she is not 18 years of age and a citizen of the state. (Gov. Code Sec. 1020)
REGISTERED VOTER/ DISTRICT RESIDENT	Unless otherwise specifically provided, no person is eligible to be elected or appointed to an elective office unless that person is a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person or at the time of the person's appointment. (E.C. Sec. 201)
CONVICTION OF CRIMES	A person is disqualified from holding any office upon conviction of designated crimes as specified in the Constitution and laws of the State. (Gov. Code Sec. 1021)
SCHOOL GOVERNING BOARD	Each member shall be a resident and registered voter of the school district. . . . Notwithstanding any other provision of law, no person shall file nomination papers for more than one district office . . . at the same election. An employee of a school district may not be sworn into office as an elected or appointed member of that school district's governing board unless and until he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. (E. C. Sec. 10603, Ed. Code Sec. 35107)

INCOMPATIBILITY OF OFFICES

The Political Reform Act does not prohibit any office holder from holding multiple public offices or seeking more than one elective office. For example, a deputy district attorney can hold the office of city council member, or a water board director may also be elected to a park and recreation district. There are, however, instances of holding more than one office that are considered incompatible.

There is no single statute that defines "incompatibility of offices". The common law doctrine of incompatibility of offices, however, prevents an elected official from holding two offices simultaneously **if the offices have overlapping and conflicting public duties.**

The courts have defined this concept as follows: "One individual may not simultaneously hold two public offices where the functions of the offices concerned are inherently inconsistent, as where there are conflicting interests, or where the nature of the duties of the two offices is such as to render it improper due to considerations of public policy for one person to retain both."

The State of California Attorney General's Office has issued many opinions of particular compatibility questions. Here are six examples of incompatible offices:

1. The offices of city councilman and school district board member where the city and the school district have territory in common;
2. Fire chief of a county fire protection district and member of the board of supervisors of the same county;
3. High school district trustee and trustee of an elementary school district which is wholly within the geographic boundaries of the high school district;
4. Water district director and a city council member,
5. Water district director and a school district trustee having territory in common; and
6. Deputy sheriff and county supervisor.

If you have a question about whether two public offices which you hold or seek to hold would be considered incompatible, contact the Attorney General's office at (916) 324-5437 or visit their website, oag.ca.gov. For further information about conflict of interest or incompatibility of offices, contact the Fair Political Practices Commission's website at fppc.ca.gov, or phone toll free 1-866-275-3772.

NOMINATION PROCESS

All candidates desiring to have their name placed on the ballot are required to complete the nomination process.

CHECK QUALIFICATIONS	It is the <u>candidate's responsibility</u> to be certain the candidate meets the qualifications for holding a particular office.
CANDIDATE MUST BE A REGISTERED VOTER	No person is eligible to be elected or appointed to an elective office unless that person is a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued.
WHERE TO OBTAIN/FILE DOCUMENTS	<p>All documents are available from the Registrar of Voters Office.</p> <p>Only the official documents may be used. Candidates or their authorized representatives will be given instructions on the procedures to be followed at the time nomination papers are issued.</p> <p>The documents must be filed with (returned to) ONLY the Registrar of Voters Office by the filing deadline.</p>
NOMINATION PERIOD	<p>July 12 thru August 6, 2021 - Last day to file (return) nomination documents. (Must be RECEIVED in the Office of the Registrar of Voters by 5 p.m. A postmark is NOT acceptable.) (<i>E.C. Sec. 10603</i>)</p>
FILING FEE	There is <u>no filing fee</u> required to become a candidate. However, there is a fee if a candidate chooses to submit an <u>optional</u> candidate's statement of qualifications
APPLY EARLY	It is advisable for candidates to obtain nomination papers early during the filing period and to file them well in advance of the filing deadline so that any potential problems may be corrected within the deadlines.
AUTHORIZATION FOR CANDIDATE'S REPRESENTATIVE	<p>A candidate may give written authorization for nomination papers to be issued to a representative. The authorization must include:</p> <ul style="list-style-type: none"> • the name of the representative(s), • the candidate's name, • candidate's residence address, phone number, • the office sought, including the Division, • language indicating that the candidate is aware that the nomination documents must be completed and filed no later than January 26, and • the candidate's signature. <p>The Registrar of Voters has prepared an "Authorization" form, which is available at sdvote.com but any reasonable facsimile will be accepted. The candidate must then personally sign the required nomination papers, either at the Registrar of Voters Office or before a notary public. <u>A representative is NOT authorized to sign nomination papers.</u></p>

FILING DOCUMENTS

DECLARATION OF CANDIDACY	<p>The document on which the candidate:</p> <ol style="list-style-type: none"> 1. Declares candidacy for a particular office, 2. Candidate provides name and occupational designation as to appear on the ballot, 3. Candidate provides address and phone number, and 4. Candidate meets the qualifications and will accept the office, if elected. <p>(E.C. § 10511)</p> <p>This form must be witnessed by either a notary or a Registrar of Voters deputy.</p>
CODE OF FAIR CAMPAIGN PRACTICES	<p>A <u>voluntary</u> document a candidate may sign and file with the Registrar of Voters. (E.C. § 20440)</p> <p>“The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.” (E.C. § 20400)</p>
FINANCIAL FORMS	<p>Please follow the instructions given in the manuals and forms available from the Campaign and Financial Section of the Registrar of Voters Office. Forms can also be downloaded from the Fair Political Practices Commission website: fppc.ca.gov (Click on “Forms & Manuals”)</p>
CANDIDATE STATEMENT OF QUALIFICATIONS	<p>The document on which a candidate may write a statement to be mailed to the voters. (E.C. § 13307)</p>
BALLOT DESIGNATION WORKSHEET	<p>This form is <u>REQUIRED</u> for all candidates who want to have a “ballot designation” printed under their name on the ballot. On this form the candidate will provide justification and documents (if any) to allow the specific designation requested. (E.C. § 13107)</p>

CANDIDATE STATEMENT OF QUALIFICATIONS GUIDELINES

(Elections Code Section 13307 Excerpts)

FILING PERIOD	<p>The statement shall be filed in the Registrar of Voters Office when candidacy documents are returned for filing. Elections Code 13307 (2).</p>
CONTENTS	<p>The statement may contain the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate’s education and qualifications expressed by the candidate</p>
CONTENT RESTRICTIONS	<p>Candidate statements shall be limited to a recitation of the candidate’s own personal background and qualifications and shall not in any way make reference to other candidates or to another candidate’s qualifications, character, or activities.</p> <p>The candidate statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. Candidate photographs are not permitted.</p> <p>The Registrar of Voters shall not print or circulate any statement which violates Election Code sections 13307 or 13308.</p>
COST: \$526.00	<p>Candidate statements are paid for at the time they are filed. All money is held in a Trust Fund and if, for any reason, the statement is not printed, the money will be refunded.</p> <p>The cost is calculated to recover expenses for translation into four languages, typesetting, printing, addressing, labor and mailing, of the candidate statements. Candidate statements may be paid by check or credit card.</p>

CANDIDATE STATEMENT OF QUALIFICATIONS GUIDELINES

(Continued)

PUBLIC REVIEW PERIOD	<p>During the 10-calendar-day examination period following the deadline for submission of the statement any voter of the jurisdiction, or the Registrar of Voters, may seek a writ of mandate or an injunction requiring any or all of the material to be amended or deleted.</p> <p>Any court challenges must be resolved 67 days (August 27, 2021) before Election Day in order for there not to be any delays in printing the ballot and impacting the administration of the election.</p>
LIABILITY	<p>Nothing in this section shall be deemed to make any such statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in the Voter Information Pamphlet.</p>
FORMAT	<p>Candidates are asked to TYPE their statement SINGLE SPACED in BLOCK PARAGRAPHS on a form provided by the Registrar of Voters.</p> <p>The following WILL NOT be permitted:</p> <ul style="list-style-type: none"> ◆ Handwritten statement ◆ Copy from a fax machine ◆ Extra exclamation points ◆ Multiple punctuation ◆ Lists ◆ Tables ◆ Stars, bullets, graphics ◆ <i>Italics</i> ◆ <u>Underlines</u> ◆ Bold ◆ ALL CAPITAL LETTERS <p>All statements must be submitted on or attached to the candidate statement form provided. San Diego Registrar of Voters requires you to email a word doc to: Candidatefiling@sdcounty.ca.gov and bring your printed signed candidate statement. If there are any discrepancies between the hard copy and the electronic copy, the hard copy will prevail.</p> <p>CANDIDATES ARE THEREFORE ADVISED TO CAREFULLY CHECK THEIR STATEMENTS FOR ERRORS IN SPELLING, PUNCTUATION AND GRAMMAR.</p> <p><i>The Registrar of Voters is authorized to reformat the statement to fit in the sample ballot pamphlet.</i></p>
WITHDRAWAL	<p>The statement may be withdrawn, but not changed, until 5 p.m. of the next business day after the close of the nomination period.</p>
CONFIDENTIAL	<p>The candidate statements shall remain confidential until the close of the nomination period. (E.C. Sec. 13311)</p>
SPANISH, FILIPINO, VIETNAMESE & CHINESE TRANSLATIONS	<p>All sample ballot pamphlet text, including candidate statements, are translated into Spanish, Filipino, Vietnamese and Chinese. In Addition to receiving an English sample ballot pamphlet, registered voters may also request a pamphlet in Spanish, Filipino, Vietnamese or Chinese. In Addition, registered voters who were born in Spanish or Chinese speaking countries, the Philippines, or Vietnam, will also receive a pamphlet in the language of the country in which they were born. This is in compliance with the Federal Voting Rights Act.</p>



California Secretary of State

BALLOT DESIGNATION WORKSHEET

(Elections Code §§ 13107, 13107.3, 13107.5; California Code of Regulations § 20711)

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

Candidate Information

1

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

Attorney Information

2

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

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

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

Proposed Ballot Designation(s)

3

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

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

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

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

If your proposed ballot designation includes the word "volunteer," indicate the title of your volunteer position and the name of the entity for which you volunteer along with a brief description of the type of volunteer work you do and the approximate amount of time involved. You may only use the ballot designation "community volunteer" if you volunteer for a 501(c)(3) charitable, educational, or religious organization, a governmental agency or an educational institution. You may not use "community volunteer" together with another designation.



California Secretary of State
BALLOT DESIGNATION WORKSHEET
Page 2

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

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

4

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

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

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

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

X

Candidate's Signature

Date Signed:

Month

Day

Year

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



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

Justification for
Alternate Ballot
Designation(s) 1

A

Justification for use of 1st PVO:

Current or most recent job title:

Start/End Dates:

Employer Name or Business:

Person who can verify this information:

Name:

Phone Number(s):

Email:

Justification for use of 2nd PVO:

Current or most recent job title:

Start/End Dates:

Employer Name or Business:

Person who can verify this information:

Name:

Phone Number(s):

Email:

Justification for use of 3rd PVO:

Current or most recent job title:

Start/End Dates:

Employer Name or Business:

Person who can verify this information:

Name:

Phone Number(s):

Email:

Justification for
Alternate Ballot
Designation(s) 2

B

Justification for use of 1st PVO:

Current or most recent job title:

Start/End Dates:

Employer Name or Business:

Person who can verify this information:

Name:

Phone Number(s):

Email:

Justification for use of 2nd PVO:

Current or most recent job title:

Start/End Dates:

Employer Name or Business:

Person who can verify this information:

Name:

Phone Number(s):

Email:

Justification for use of 3rd PVO:

Current or most recent job title:

Start/End Dates:

Employer Name or Business:

Person who can verify this information:

Name:

Phone Number(s):

Email:



California Secretary of State
BALLOT DESIGNATION WORKSHEET
Page 4

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

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

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

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

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

(4) The phrase "appointed incumbent" if the candidate holds an office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) It would mislead the voter.



California Secretary of State
BALLOT DESIGNATION WORKSHEET
Page 5

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

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

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

(5) It uses the name of any political party, whether or not it has qualified for the ballot.

(6) It uses a word or words referring to a racial, religious, or ethnic group.

(7) It refers to any activity prohibited by law.

(f) If, upon checking the nomination documents and the ballot designation worksheet described in Section 13107.3, the elections official finds the designation to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address provided on the candidate's ballot designation worksheet.

(1) The candidate shall, within three days, excluding Saturday, Sunday, and state holidays, from the date he or she receives notice by registered or certified mail, or from the date the candidate receives actual notice of the violation, whichever occurs first, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide a designation that complies with subdivision (a) or (b).

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

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

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

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

(a) A candidate who submits a ballot designation pursuant to subdivision (a) of Section 13107 shall file a ballot designation worksheet that supports the use of that ballot designation by the candidate, in a format prescribed by the Secretary of State.

(b) The ballot designation worksheet shall be filed with the elections official at the same time that the candidate files his or her declaration of candidacy.

(c) In the event that a candidate fails to file a ballot designation worksheet in accordance with subdivision (a), no designation shall appear under the candidate's name on the ballot.

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

(a) A candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section 13107, if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:

(1) A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.

(2) A candidate is not engaged concurrently in another principal profession, vocation, or occupation.

(3) A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation, or occupation designation.

(b) The Secretary of State shall by regulation define what constitutes a community volunteer for purposes of this section.

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

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

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



California Secretary of State
BALLOT DESIGNATION WORKSHEET
Page 6

(c) The Secretary of State shall provide a master copy or copies of the Ballot Designation Worksheet to all elections officials responsible for providing and accepting the nomination documents for candidates in elections for offices certified by the Secretary of State. The Ballot Designation Worksheet shall request that the candidate proposing the ballot designation provide the following information:

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

CODE OF FAIR CAMPAIGN PRACTICES

(ELECTIONS CODE § 20440)

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit this criticism.
- (2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
- (3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.
- (4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
- (5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.
- (6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group that resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics that I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Print Name

Signature

Date

Office

PROVISIONS OF THE CODE OF FAIR CAMPAIGN PRACTICES

As found in Chapter 5 of Division 20 of the California Elections Code

Chapter 5. Fair Campaign Practices

Article 1. General Intent

20400. Intent of legislature.

The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

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

Article 2. Definitions¹

20420. Definition of “Code”.

As used in this chapter, “Code” means the Code of Fair Campaign Practices. Article 3. Code of Fair Campaign Practices

20440. Subscription to code; form.

At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official, shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee.

20441. Supply of forms.

The Secretary of State shall print, or cause to be printed, blank forms of the code. The Secretary of State shall supply the forms to the elections officials in quantities and at times requested by the elections officials.

20442. Retention of forms; public inspection.

The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

20443. Public Record

Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

20444. Voluntary.

In no event shall a candidate for public office be required to subscribe to or endorse the code.

¹**304.**

“Campaign advertising or communication” means a communication authorized by a candidate or a candidate’s controlled committee, as defined in Section 82016 of the Government Code, or by a committee making independent expenditures, as defined in Section 82031 of the Government Code, or by a committee formed primarily to support or oppose a ballot measure, as defined in Section 82047.5 of the Government Code, for the purpose of advocating the election or defeat of a qualified candidate through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type general, public, political advertising.

305.

“Candidate for public office” means an individual who has qualified to have his or her name listed on the ballot of any election, or who has qualified to have written votes on his or her behalf counted by election officials, for nomination for, or election to, any state, regional, county, municipal, or district office which is filled at an election. The provisions of this chapter do not apply to candidates for federal office.

WRITE-IN CANDIDATES

Candidates who desire to be a write-in candidate and have his or her name written on the ballot of an election shall fulfill the requirements of Part 3 of Subdivision of the Elections Code, commencing at Section 8600.

FILING REQUIREMENTS	<p>Every person who desires to be a write-in candidate and have his/her name counted for a particular office shall file:</p> <ol style="list-style-type: none">1. A statement of write-in candidacy which contains the following:<ul style="list-style-type: none">◆ Candidate's name,◆ Candidate's complete residential address,◆ A declaration stating that the candidate is a write-in candidate,◆ The name of the office which the candidate seeks,◆ The date of the election,2. A signed Oath or Affirmation of Allegiance (<i>E.C. Sec. 200; Cal. Constitution Art. XX, Sec. 3</i>)
HOW ELECTED	In order to be elected to any office, the write-in candidate must receive more votes than other candidates running for that office.
FILING FEE	No fee or charge shall be required of a write-in candidate (<i>E.C. Sec. 8604</i>)
FILING PERIOD	<p>September 7* through October 19, 2021</p> <p>The statement and nomination papers shall be available on the 56th day prior to the election and shall be filed with the Registrar of Voters not later than the 14th day prior to the election. (<i>E.C. Sec. 8601</i>)</p>

* The legal date falls on a holiday when our office is closed. The date listed is the next business day.

POLITICAL ADVERTISEMENT REQUIREMENTS

POLITICAL ADVERTISEMENT REQUIREMENTS	<p>Any paid political advertisement that refers to an election or to any candidate for state or local elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement." The words shall be set apart from any other printed matter.</p> <p>As used in this section "paid political advertisement" shall mean and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office.</p> <p><i>(E.C. Sec. 20008)</i></p>
---	--

MASS MAILING OF CAMPAIGN LITERATURE

REGISTRAR OF VOTERS DUTIES	A copy of Section 84305 of the Government Code (see below) shall be provided by the Registrar to each candidate or his or her agent at the time of filing the declaration of candidacy . . . <i>(E.C. Sec. 16)</i>
PUBLIC EXPENSE	No newsletter or other mass mailing shall be sent at public expense. <i>(Gov. Code Sec. 89001)</i>
DEFINITION	"Mass mailing" means over 200 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. <i>(Gov. Code Sec. 82041.5)</i>

CALIFORNIA GOVERNMENT CODE SECTION 84305

<p>(a) (1) Except as provided in subdivision (b), a candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not 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 that is in a color or print that 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 candidate's, candidate controlled committee established for an elective office for the controlling candidate's, or political party committee's address is a matter of public record with the Secretary of State.</p> <p>(2) Except as provided in subdivision (b), a committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass mailing that is not required to include a disclosure pursuant to Section 84502 unless the name, street address, and city of the committee is 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 that is in a color or print that 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 committee's address is a matter of public record with the Secretary of State.</p> <p>(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.</p> <p>(c) (1) A candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not send a mass electronic mailing unless the name of the candidate or committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.</p> <p>(2) A committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass electronic mailing that is not required to include a disclosure pursuant to Section 84502 or 84504.3 unless the name of the committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.</p> <p>(d) 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).</p>
--

POLITICAL ADVERTISEMENT REQUIREMENTS (Continued)

CALIFORNIA GOVERNMENT CODE SECTION 84305

(e) For purposes of this section, the following terms have the following meaning:

(1) "Mass electronic mailing" means sending more than two hundred substantially similar pieces of electronic mail within a calendar month.

(2) "Sender" means the candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable pursuant to Sections 84200 to 84217, inclusive.

(3) To "pay for" a share of the cost of a mass mailing means to make, to promise to make, or to incur an obligation to make, any payment: (A) to any person for the design, printing, postage, materials, or other costs of the mailing, including salaries, fees, or commissions, or (B) as a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.

(f) This section does not apply to a mass mailing or mass electronic mailing that is paid for by an independent expenditure.

SIMULATED BALLOT REQUIREMENTS

(Elections Code Section 20009)

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

"NOTICE TO VOTERS

"(Required by Law)

"This is not an official ballot or an official county voter information guide prepared by the county elections official or the Secretary of State.

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

This section shall not be construed as requiring this notice in any editorial or other statement appearing in a regularly published newspaper or magazine other than a paid political advertisement.

- (b) A simulated ballot or simulated county voter information guide referred to in subdivision (a) shall bear any official seal or the insignia of any public entity, and that seal or insignia shall not appear upon the envelope in which it is mailed or otherwise delivered.
- (c) The superior court, in any case brought before it by any registered voter, may issue a temporary or permanent restraining order or injunction against the publication, printing, circulation, posting, or distribution of any matter in violation of this section, and all cases of this nature shall be in a preferred position for purposes of trial and appeal, so as to assure the speedy disposition of cases of this nature.



County of San Diego

JEFF C. MONEDA
DIRECTOR

DEPARTMENT OF PUBLIC WORKS
5510 OVERLAND AVENUE, SUITE 410
SAN DIEGO, CA 92123-1237
(858) 694-2212
www.sdcountry.ca.gov/dpw/

January 8, 2021

Dear Candidate:

ELECTION INFORMATION SIGN INSTALLATION REQUIREMENTS

The records of the Registrar of Voters indicate that you have filed for election to a public office in the County of San Diego. In the course of your campaign, should you desire to utilize election information signs as one of your means of communication to the electorate, it is necessary that you be aware of the conditions under which such signs may be placed within or adjacent to County unincorporated area road right-of-ways. Attached for your information is a copy of "Guidelines for Installing Election Information Signs within County of San Diego Road Right-of-Way" and "Election Information Sign Installation Requirements."

You may apply for a temporary encroachment permit which has a non-refundable \$155.00 fee at the Land Development Permits Counter located at 5510 Overland Avenue, San Diego, California, 92123, or call (858) 694-2055 for information. Attached for your convenience is an encroachment permit application. A sketch showing the number of election signs and approximate location of each sign shall be submitted with the completed application.

All signs placed within the County's right-of-way contrary to the provisions of the encroachment permit or remaining after Election Day will be removed by the County under the authority of Section 1460 of the California Streets and Highway Code. At the time a permit is applied for, the permittee shall agree to pay for the County's cost of removal of any such signs.

Your cooperation in complying with the guidelines and maintaining safe and litter-free roadways is appreciated. If you have any questions or need additional information, please contact the Land Development Permits Counter at (858) 694-2055.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Moneda".

JEFF C. MONEDA, P.E.
Director

Attachments

GUIDELINES FOR INSTALLING ELECTION INFORMATION SIGNS WITHIN COUNTY OF SAN DIEGO ROAD RIGHT-OF-WAY

PURPOSE:

These guidelines inform the public of the process of how to legally install Election Information Signs within County of San Diego road right-of-ways in a safe manner for all roadway users (motorists, bicyclists, equestrians, and pedestrians).

DEFINITIONS:

“Election Information Signs,” hereinafter referred to as “Election Signs” or “signs,” shall be defined as informational signs containing any ideological, political, or other non-commercial message that are constructed and placed up to three (3) months in a County road right-of-way per requirements defined in an Encroachment Permit and in conformance with the County’s Zoning Ordinance.

“County of San Diego road right-of-way,” hereinafter referred to as “County road right-of-way,” is defined as land the County of San Diego owns or has rights to for the improvement, maintenance, and operation of County maintained roads in the unincorporated portion of the County (i.e. outside the incorporated city areas of San Diego County). The following website may be used to determine if a road is County of San Diego maintained: <http://www.sdcountry.ca.gov/dpw/roads/maintroad.html>. **Note that signs to be placed on roads in an incorporated city may require a permit from the respective city, and it is the sign installer’s responsibility to verify this with the respective city. Also, temporary signs on state highways require a permit from Caltrans (<http://www.dot.ca.gov/hq/traffops/developserv/permits/>). Signs installed on private property in the unincorporated areas of the County require permission of the private property owner and shall comply with the County’s Zoning Ordinance.**

GUIDELINES:

Election Signs may be permitted within County road right-of-ways subject to the following procedures:

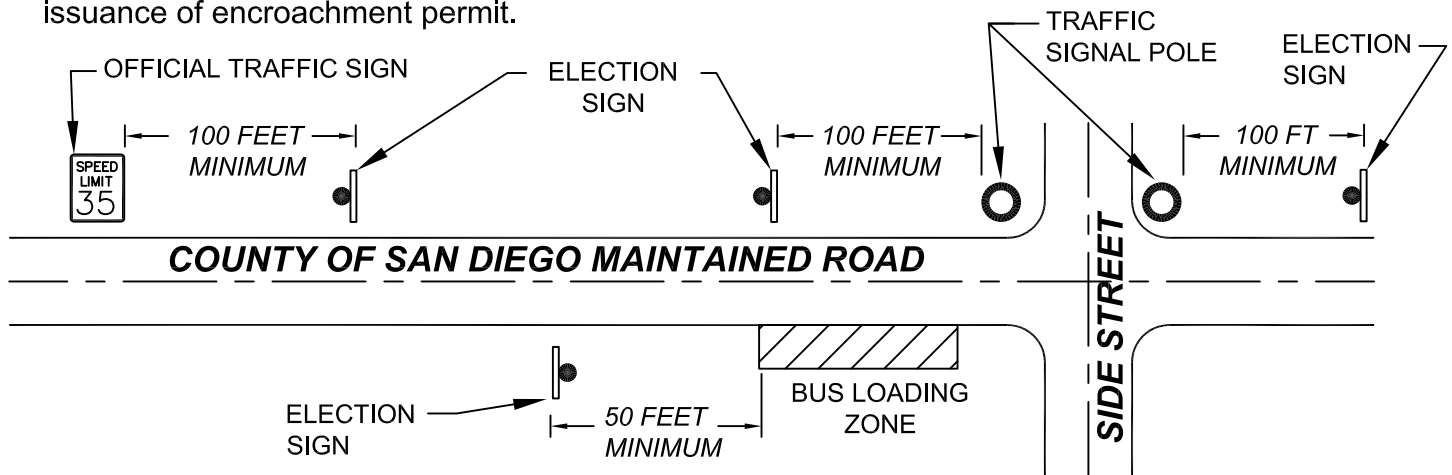
In order to prevent a danger to all roadway users due to confusion and distraction, which may be caused by the posting of Election Signs in certain locations where they compete with traffic safety signs or interfere with visibility, it shall be necessary for Election Sign installers to obtain a revocable Encroachment Permit from the Director of Public Works. The following requirements shall be placed in the Encroachment Permit and adhered to by the permittee:

- a) Election Signs may be placed up to three (3) months in the County road right-of-way and in conformance with the County’s Zoning Ordinance.
- b) Election Signs shall only be placed on wood posts or wood stakes having a cross-section equal to or less than 4 inches by 4 inches that are placed in soil. As required by California Government Codes 4216 through 4216.9, permittee shall contact DigAlert by calling 811 at least two (2) full working days prior to installing stakes or posts to insure no utility conflicts. Placement of signs shall conform to the attached “Election Information Sign Installation Requirements.”
- c) Each Election Sign shall (on the back) identify the Encroachment Permit number.
- d) Nothing in the permit shall be taken to imply County permission to place signs on the property of others.
- e) Election Signs shall not interfere with the sight distance of roadway users and shall not block the visibility of traffic control devices such as signs, signals, and flashers.
- f) Election Signs shall not interfere with the lawful and reasonable use of the County road right-of-way by roadway users (equestrians, pedestrians, bicyclists, and motorists) and utilities.
- g) The permittee is required to remove their signs at or before the permit expiration date, and shall authorize the County to remove, without notification, signs not so removed by permittee. The County shall charge for sign removal and the permittee shall, in signing his/her permit, agree to pay for County cost of removal of his/her signs.

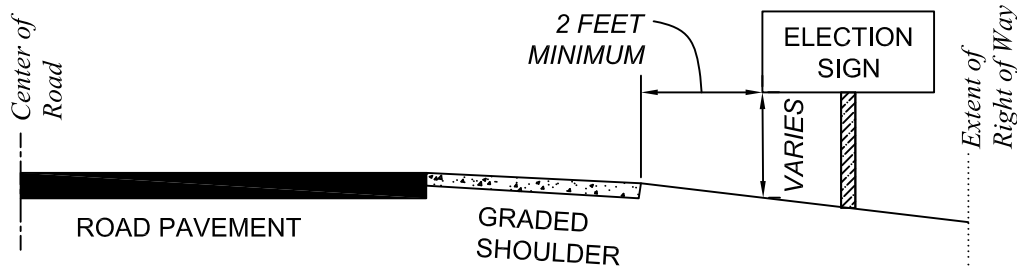
ELECTION INFORMATION SIGN INSTALLATION REQUIREMENTS

Instructions to Permittee:

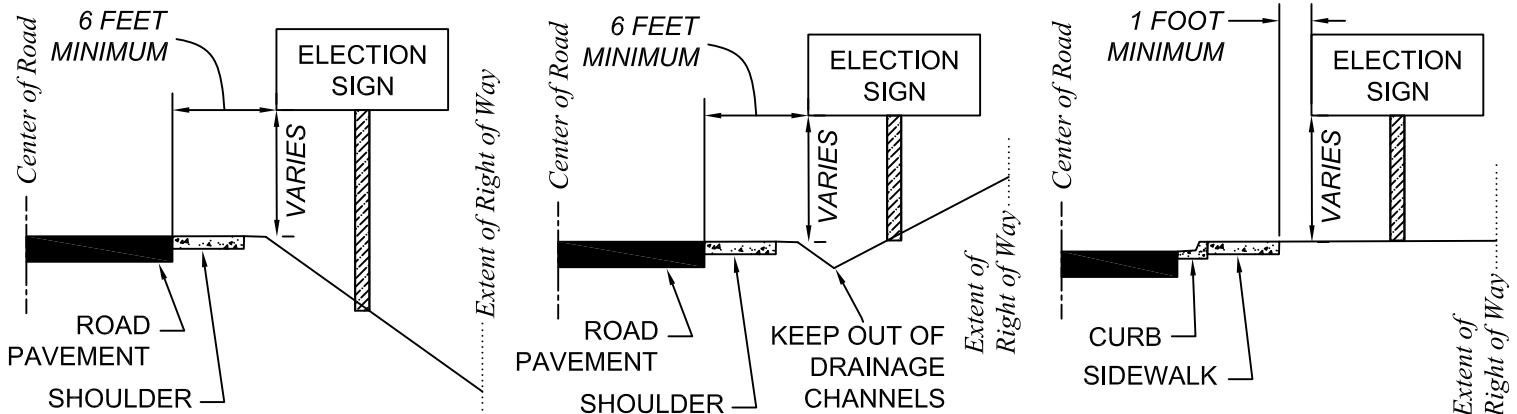
1. Election Information Signs (Election Signs) placed in the County of San Diego's road right-of-way shall be positioned in accordance with the below drawings. Signs shall not interfere with sight distance from intersecting side streets, driveways, alleys, and turn lanes. Signs shall not block the view of official traffic control devices (signs, signals, flashers, etc.).
2. Signs shall only be placed on wood posts or wood stakes having a cross-section equal to or less than 4 inches by 4 inches. Permittee shall contact DigAlert by calling 811 prior to installing stakes or posts to insure no utility conflicts. Signs shall not be fastened to any traffic signal poles, traffic signal cabinets, flasher poles, official traffic sign posts, street light poles, utility boxes and utility poles within the County of San Diego road right-of-way.
3. Number of Election Signs and location of each sign shall conform to information furnished at time of issuance of encroachment permit.



POSITION WITH RELATION TO DIRECTION OF TRAFFIC



STANDARD ROADWAY LOCATION FOR ELECTION SIGNS



MOUNTAIN AND FOOTHILL LOCATIONS

SIDEWALK LOCATIONS

FOR COUNTY USE ONLY
RECORD ID: _____
DPW20 _____
RWENCP- _____

APPLICATION TO ENCROACH UPON COUNTY HIGHWAY

GOVERNED BY CHAPTER 6, DIVISION 1
TITLE 7 OF SAN DIEGO COUNTY CODE
COUNTY OF SAN DIEGO
DEPARTMENT OF PUBLIC WORKS
5510 OVERLAND AVENUE, SUITE 110
SAN DIEGO, CA 92123
PHONE (858) 694-2055 • FAX (858) 279-7020
E-mail ROWPERMITCOUNTER@SDCOUNTY.CA.GOV

Date _____

THOMAS BROTHERS		
YEAR	PAGE	COORD

Permit Owner _____ Telephone # _____

Last Name

First

Mailing Address _____

Street

City

State

Zip Code

Application Contact Name _____ Email Address _____ Telephone # _____

Is the work part of a larger project or program requiring multiple permits, or currently under review for permit? YES ☐ NO ☐

If yes provide: Related Permits _____ Assessor Parcel # _____

Is this a utility relocation in connection with a County Capital Improvement Project? YES ☐ NO ☐

If yes provide: Name of Project _____

Location of encroachment _____

Street Name and Number and nearest cross street

☐ Fencing ☐ Political Signs ☐ Scaffolding ☐ Storage ☐ Yard ☐ Other

Describe _____

Will encroachment interfere with the public use and maintenance of?

Travelled way ☐ Yes ☐ No Side path or sidewalk ☐ Yes ☐ No

Shoulder or parking lane ☐ Yes ☐ No Drainage structure or watercourse ☐ Yes ☐ No

Justification for Encroachment _____

Permit requested: ☐ 1 day ☐ 3 days ☐ 10 days ☐ indefinite ☐ _____ days Effective date _____ 12.01 a.m.

AGREEMENT

In consideration of the granting of this permit, the applicant agrees:

- I hereby agree as a condition of the granting of this permit to provide defense and indemnification in accordance with Section 71.103 of the San Diego County Code of Regulatory Ordinances as follows: Permit Owner agrees to indemnify, hold harmless and defend the County and each of its officers and employees from any liability of responsibility for accident, loss or damage to persons or property arising by reason of the work done by Permit Owner, or Permit Owner's agents, employees or representatives.
- To comply with all applicable laws in the establishment, maintenance and removal of the encroachment.
- That the Permittee and any other person engaged in any work authorized by this permit shall conform to all due safety precautions for the protection of persons and property.
- To remove or relocate any encroachment placed, changed or renewed under the authority of this permit; prior to its expiration or within 24 hours of notification to remove, if the duration is 10 days or less; or within 5 day of notification to remove, if the permit is of indefinite duration
- After removing or relocation the encroachment, to restore the highway to the equivalent or better condition than it was prior to the date this permit became effective, or prior to the date the encroachment was first placed, whichever is earlier.

"I declare under penalty of perjury under the laws of the State of California that the statements made herein are true and correct."

Signed _____

Owner

Date

SIGN REGULATIONS – STATE INFORMATION

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 scheduled election.
- B. Is placed no 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 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) 654-6473.

Enclosure

SIGN REGULATIONS (Continued) - STATE INFORMATION

STATE OF CALIFORNIA-BUSINESS, TRANSPORTATION AND HOUSING AGENCY

Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION

DIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM



STATEMENT OF RESPONSIBILITY FOR TEMPORARY POLITICAL SIGNS

Election Date: _____ March _____ 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

