

# GUBERNATORIAL PRIMARY ELECTION

# 2018

## CANDIDATE GUIDE



## JUNE 5, 2018

County of Santa Clara

Registrar of Voters

*Registrar of Voters  
1555 Berger Drive*

*San Jose, California 95112*

*1.408.299.VOTE (8683) • [www.sccvote.org](http://www.sccvote.org)*

## **\*\*\*NOTICE\*\*\***

All information in this guide is subject to change.

No duty is imposed upon the Office of the Registrar of Voters to determine whether a candidate meets the requirements for holding office. The Declaration of Candidacy, which each candidate must sign under penalty of perjury, states that the candidate meets the statutory and/or constitutional qualifications for office (including, but not limited to, citizenship, residency, etc.). This guide is intended to provide general information concerning 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 neither the Secretary of State nor the Office of the Registrar of Voters is rendering legal advice, and, therefore, this information is not to be a substitute for legal counsel for the individual, organization, or candidate using it. In case of conflict, the law, regulation, or rule will apply.

Unless otherwise indicated, all code section references are to the California Elections Code.

# County of Santa Clara

## Registrar of Voters

1555 Berger Drive, Bldg. 2  
San Jose, CA 95112  
Mailing Address: P.O. Box 611360, San Jose, CA 95161-1360  
(408) 299-VOTE (8683) 866-430-VOTE (8683) FAX: (408) 998-7314  
www.sccvote.org



Dear Candidate:

Congratulations on your decision to seek office in the upcoming Gubernatorial Primary Election. Your candidacy provides voters in Santa Clara County a choice and sustains our democratic process.

There are many requirements associated with being a candidate. We have prepared this Candidate Guide to assist you in understanding these requirements. It contains valuable information pertaining to qualifications for office, terms of office, procedures, fees, forms, and deadline dates.

Please keep in mind that this Candidate Guide is intended to be a resource and is not comprehensive nor does it constitute or substitute for legal advice. You are encouraged to seek legal counsel on questions of law.

We also recommend that you file as early as possible to ensure that your documents are complete and accurate. Filing deadlines are absolute. Waiting until the end of the filing period to file your documents could result in your name not being on the ballot if your documents are incomplete or in error.

The Office of the Registrar of Voters is open each weekday between the hours of 8:00 a.m. and 5:00 p.m., holidays excepted. We are located at 1555 Berger Drive, Bldg. 2, San Jose.

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 the Candidate Services Division at 408-299-8639.

Best wishes to you in your campaign.

Sincerely,

A handwritten signature in cursive script that reads "Shannon Bushey".

Shannon Bushey  
Registrar of Voters  
County of Santa Clara



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## **PRIMARY ELECTION CALENDAR**

**JUNE 5, 2018**

<b><u>DATE</u></b>	<b><u>ACTION</u></b>
December 14, 2017 – February 7, 2018	Signatures-in-Lieu of Filing Fee – All offices for which there is a filing fee.
January 29, 2018 – February 7, 2018	Declaration of Intention – Judicial offices only.
January 31, 2018	Semi-annual Statement due for statement covered period ending 12/31/2017.
February 8, 2018 – February 12, 2018	Extension period, for any candidate other than the incumbent, for filing Declaration of Intention, if incumbent fails to file.
February 12, 2018 – March 9, 2018	Declaration of Candidacy and Nomination Papers – All candidates.
March 7, 2018 – June 5, 2018	Report of Contributions and Independent Expenditures of \$1,000 or more to/from a single source due within 24 hours of receipt or expenditure.
March 7, 2018 – June 5, 2018	Special online disclosure statements for state offices that are required to file electronically with the Secretary of State within 24 hours.
March 9, 2018	Last day to file all required nomination documents.
March 10, 2018 – March 14, 2018	Extension period, for any candidate other than the incumbent, for filing Declaration of Candidacy and Nomination Papers, if incumbent fails to file.
March 15, 2018	The Secretary of State and the local election officials shall conduct the randomized alphabet drawings at 11 a.m.
April 26, 2018	Pre-election Statement due for period 1/1/18 – 4/21/18.
April 9, 2018 – May 22, 2018	Statement of Write-In Candidacy and Nomination Papers.
May 21, 2018	Last day to register to vote in the June Election.
May 24, 2018	Pre-election Statement due for period 4/22/18 – 5/19/18.
May 29, 2018	Last day to request vote by mail ballot to be sent by mail.
June 5, 2018	Election Day

**GENERAL ELECTION CALENDAR**  
**NOVEMBER 6, 2018**

<b><u>DATE</u></b>	<b><u>ACTION</u></b>
July 31, 2018	Last day that any candidate may request in writing a different ballot designation than that used at the primary election (For state office, request should be made to <b>both</b> the Secretary of State and the county election official).
July 31, 2018	Semi-annual Statement due for period 5/20/18 – 6/30/18.
August 8, 2018 – November 6, 2018	Report of Contributions and Independent Expenditures of \$1,000 or more to/from a single source due within 24 hours of receipt or expenditure.
August 10, 2018	Deadline to file a candidate statement (optional) to be printed in the Voter Information Guide.
August 16, 2018	The Secretary of State and the local election officials shall conduct the randomized alphabet drawings at 11 a.m.
September 10, 2018 – October 23, 2018	Period for <b>Write-In</b> candidates to file their statements of write-in candidacy and nomination papers (not available for voter nominated offices).
September 27, 2018	Pre-election Statement due for period 7/1/18 – 9/22/18.
October 22, 2018	Last day to register to vote in the November Election.
October 25, 2018	Pre-election Statement due for period 9/23/18 – 10/20/18.
October 30, 2018	Last day to request Vote by Mail ballot to be sent by mail.
November 6, 2018	Election Day

**LIST OF OFFICES FOR JUNE 5, 2018**  
**GUBERNATORIAL PRIMARY ELECTION**

**Incumbent Listed**

**Governor**

Jerry Brown\*

**Lieutenant Governor**

Gavin Newsom\*

**Secretary of State**

Alex Padilla

**Controller**

Betty T. Yee

**Treasurer**

John Chiang

**Attorney General**

Xavier Becerra (Appt.)

**Insurance Commissioner**

Dave Jones\*

**Superintendent of Public Instruction**

Tom Torlakson\*

**State Board of Equalization, District 2**

Fiona Ma

**U.S. Senate**

Dianne Feinstein

**U.S. Representative in Congress**

17<sup>th</sup> District

Ro Khanna

18<sup>th</sup> District

Anna G. Eshoo

19<sup>th</sup> District

Zoe Lofgren

20<sup>th</sup> District

Jimmy Panetta

**State Senate**

District 10

Bob Wieckowski

**State Assembly**

24<sup>th</sup> District

Marc Berman

25<sup>th</sup> District

Kansen Chu

27<sup>th</sup> District

Ash Kalra

28<sup>th</sup> District

Evan Low

29<sup>th</sup> District

Mark Stone

30<sup>th</sup> District

Anna Caballero

\* Termed out

**Judge of the Superior Court**

Office No. 1  
Javier Alcalá

Office No. 2  
Paul R. Bernal

Office No. 3  
Franklin Bondonno

Office No. 4  
Vincent J. Chiarello

Office No. 5  
Linda R. Clark

Office No. 6  
Paul Colin

Office No. 7  
Julia A. Emede

Office No. 8  
Andrea Flint

Office No. 9  
Maureen A. Folan

Office No. 10  
Nahal Iravani-Sani

Office No. 11  
Thomas Kuhnle

Office No. 12  
Socrates P. Manoukian

Office No. 13  
Michele McKay McCoy

Office No. 14  
William J. Monahan

Office No. 15  
Daniel T. Nishigaya

Office No. 16  
Philip H. Pennypacker

Office No. 17  
Elizabeth C. Peterson

Office No. 18  
Mark H. Pierce

Office No. 19  
Deborah A. Ryan

Office No. 20  
Cynthia A. Sevely

Office No. 21  
James Stoelker

Office No. 22  
Drew Takaichi

Office No. 23  
Ronald I. Toff

Office No. 24  
Jesus Valencia, Jr.

Office No. 25  
Theodore C. Zayner

**Assessor**  
Larry Stone

**Board of Supervisors**

District 1  
Mike Wasserman

District 4  
Ken Yeager\*

**District Attorney**  
Jeff Rosen

**Sheriff**  
Laurie Smith

\* Termed out



**CANDIDATE QUALIFICATIONS AND INFORMATION**  
**FOR VOTER-NOMINATED OFFICES**

**General Information**

On June 8, 2010, California voters approved Proposition 14, which created the “Top-Two Candidates Open Primary Act”.

Prior to the “Top-Two Candidates Open Primary Act”, candidates running for partisan office appeared only on their own party ballot. The top vote-getter from each qualified political party and any candidates who qualified using the independent nomination process would then move on to the General Election.

Now, under the “Top-Two Candidates Open Primary Act”, all candidates running, regardless of their party preference, will appear on a single combined ballot, and voters can vote for any candidate from any political party. The Act would not affect the election of President (except parties that allow cross-over voters) and County Central Committees, which are still party specific contests.

The Act requires that only the two candidates for voter-nominated offices who receive the highest and second-highest number of votes cast at the primary shall appear on the ballot as candidates at the ensuing General Election. §8141.5

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. §201

**Note:** There are no district residency requirements for Members of Congress.

A person is disqualified from holding any office upon conviction of designated crimes specified in the Constitution and laws of the State. Gov. Code §1021

No candidate whose declaration of candidacy has been filed for any Primary Election may withdraw as a candidate at that Primary Election. §8800

Each candidate for a Voter-Nominated office will be required to list on their Declaration of Candidacy the candidate’s party preference history for the preceding 10 years. §8121

## **GOVERNOR AND LIEUTENANT GOVERNOR**

The candidate shall:

Be a U.S. citizen and a registered voter, and otherwise qualified to vote for that office at the time nomination papers are issued. Not have served two terms in the office sought since November 6, 1990.

Term: 4 years, commencing January 7, 2019

## **SECRETARY OF STATE, CONTROLLER AND TREASURER**

The candidate shall:

Be a registered voter, and otherwise qualified to vote for that office at the time nomination papers are issued. Not have served two terms in the office sought since November 6, 1990.

Term: 4 years, commencing January 7, 2019

## **ATTORNEY GENERAL**

The candidate shall:

Have the same qualifications as for the Secretary of State. Additionally, candidate shall have been admitted to practice before the Supreme Court of California for at least five years immediately preceding the election. Not have served two terms in the office sought since November 6, 1990.

Term: 4 years, commencing January 7, 2019

## **INSURANCE COMMISSIONER**

The candidate shall:

Have the same qualifications as for the Secretary of State. Additionally, during tenure of office, not be an officer, agent, or employee of an insurer or directly or indirectly interested in any insurer or licensee under the California Insurance Code, except (1) as a policyholder, or (2) by virtue of relationship by blood or marriage to any person interested in any insurer or licensee. Not have served two terms in the office sought since November 6, 1990.

Term: 4 years, commencing January 7, 2019

## **MEMBER, STATE BOARD OF EQUALIZATION**

The candidate shall:

Be a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued. Not have served two terms as a Member of the State Board of Equalization since November 6, 1990.

Term: 4 years, commencing January 7, 2019

## **UNITED STATES SENATOR**

The candidate shall:

Be at least 30 years of age, a U.S. citizen for nine years, and a resident of California on January 3, 2019, the date he or she would be sworn into office if elected.

Term: 6 years, commencing January 3, 2019

## **UNITED STATES REPRESENTATIVE IN CONGRESS**

The candidate shall:

Be at least 25 years of age, citizen of the United States for seven years, and a resident of the California on January 3, 2019, the date he or she would be sworn into office if elected.

(Note: There are no district residency requirements for Members of Congress.)

Term: 2 years, commencing January 3, 2019

## **STATE SENATOR**

The candidate shall:

Be a citizen of the United States and a registered voter, and otherwise qualified to vote for that office at the time nomination papers are issued. Not have served two terms in the State Senate and not have served three terms in the State Assembly since November 6, 1990.

Term: 4 years, commencing December 3, 2018

## **MEMBER OF THE STATE ASSEMBLY**

The candidate shall:

Be a citizen of the United States and a registered voter, and otherwise qualified to vote for that office at the time nomination papers are issued.

Not have served three terms in the State Assembly and not have served two terms in the State Senate since November 6, 1990.

If first elected to the Legislature after June 2012 and has not previously served in the State Senate or Assembly, during his or her lifetime serve no more than 12 years in the State Senate, the Assembly, or both, in any combination of terms.

Term: 2 years, commencing December 3, 2018

**CANDIDATE FILING FEES AND SIGNATURES-IN-LIEU REQUIREMENTS**

<b><u>Office</u></b>	<b><u>Salary</u></b>	<b><u>Filing Fee</u></b>	<b><u>In-Lieu Signatures</u></b>	<b><u>Value per Signature</u></b>	<b><u>Nomination Signatures</u></b>
<b>Governor</b>	\$195,806	\$3,916.12	7,000	\$0.559446	65-100
<b>Lt. Governor</b>	\$146,854	\$2,937.08	7,000	\$0.419583	65-100
<b>Secretary of State</b>	\$146,854	\$2,937.08	7,000	\$0.419583	65-100
<b>Controller</b>	\$156,643	\$3,132.86	7,000	\$0.447551	65-100
<b>Treasurer</b>	\$156,643	\$3,132.86	7,000	\$0.447551	65-100
<b>Attorney General</b>	\$170,080	\$3,401.60	7,000	\$0.485943	65-100
<b>Insurance Comm.</b>	\$156,643	\$3,132.86	7,000	\$0.447551	65-100
<b>U.S. Senator</b>	\$174,000	\$3,480.00	7,000	\$0.497143	65-100
<b>State Bd. Of Equal.</b>	\$146,854	\$1,468.54	4,406	\$0.333305	40-60
<b>U.S. Rep. Congress</b>	\$174,000	\$1,740.00	2,000	\$0.87	40-60
<b>State Senate</b>	\$107,242	\$1,072.42	2,000	\$0.53621	40-60
<b>State Assembly</b>	\$107,242	\$1,072.42	1,000	\$1.07242	40-60

**CANDIDATE QUALIFICATIONS AND INFORMATION**  
**FOR NON-PARTISAN OFFICES**

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. §201

(Note: There are no district residency requirements for the office of Judge of the Superior Court.)

A person is disqualified from holding any office upon conviction of designated crimes specified in the Constitution and laws of the State. Gov. Code §1021

No person may file nomination papers for more than one office at the same election. EXCEPT: A person may file nomination papers for County Central Committee and another public office, as a Central Committee Member is not an "office" within the meaning of §8003; and, if the election for the two different offices were called by two different governing bodies.

If a candidate is seeking a nonpartisan office, all reference to party affiliation shall be omitted on all required forms. §8002

No candidate whose declaration of candidacy has been filed for any Primary Election may withdraw as a candidate at that Primary Election. §8800

Santa Clara County Ordinance No. NS-300.857 relates to electronic filing of campaign statements by candidates for County offices. Candidates for County offices are required to file FPPC campaign statements electronically with the Office of the Registrar of Voters. As a candidate for County office you will receive a copy of the ordinance.

Santa Clara County Ordinance No. NS-19.40 relates to campaign and officeholder contribution limits for all County offices. The ordinance requires candidates to file the Voluntary Expenditure Ceiling Limit Agreement form with the Office of the Registrar of Voters before a candidate accepts any contributions. As a candidate for a County office you will receive a copy of the ordinance.

**SUPERINTENDENT OF PUBLIC INSTRUCTION**

The candidate must be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued. Not have served two terms in the office sought since November 6, 1990.

Term: 4 years, commencing on January 7, 2019

## **JUDGE OF THE SUPERIOR COURT**

The candidate must be a citizen of the United States, a registered voter, member of the State Bar for ten years or have served as a judge of a California court of record for ten years immediately preceding the election. Documentation which is considered acceptable for establishing the qualifications for candidates includes, but is not limited to certificates, declarations under penalty of perjury, diplomas, and/or official correspondence. Documentation or a declaration under penalty of perjury must be filed at the time nomination papers are issued.

Term: 6 years, commencing January 7, 2019

## **ASSESSOR**

The candidate must be a registered voter of the county. If elected must meet Government Code Section 24002.5, which states, "No person shall exercise the powers and duties of the office of assessor unless he or she holds a valid appraiser's certificate issued by the State Board of Equalization pursuant to Article 8 (commencing with Section 670) of Chapter 3 of Part 2 of Division 1 of the Revenue and Taxation Code. Documentation which is considered acceptable for establishing the qualifications for candidates includes, but is not limited to certificates, declarations under penalty of perjury, diplomas, and/or official correspondence. Documentation or a declaration under penalty of perjury must be filed at the time nomination papers are issued.

Term: 4 years, commencing January 7, 2019

## **COUNTY SUPERVISOR**

The candidate must be a registered voter and resident of the district for at least 30 days preceding the deadline for filing nomination documents and during term of office. May not serve in the same office for more than three consecutive terms.

Candidates and treasurers of a county supervisor FPPC committee must sign a Statement of Acknowledgement relating to county ethical standards stating they have read and understood Santa Clara County Ordinance Division A-3 and agree to be bound by its terms.

Term: 4 years, commencing January 7, 2019

## **DISTRICT ATTORNEY**

The candidate must be a registered voter of the county at the time nomination documents are issued and has been admitted to practice in the Supreme Court of the State. Documentation which is considered acceptable for establishing the qualifications for candidates includes, but is not limited to certificates, declarations under penalty of perjury, diplomas, and/or official correspondence. Documentation or a declaration under penalty of perjury must be filed at the time nomination papers are issued.

Term: 4 years, commencing January 7, 2019

## **SHERIFF**

The candidate must be a registered voter of the county at the time nomination documents are issued. At the time of the final filing date for election meets one of the 5 requirements per Government Code Section 24004.3, which states, “(1) An active or inactive advanced certificate issued by the Commission of Peace Officer Standards and Training. (2) One year of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possess a master’s degree from an accredited college or university. (3) Two years of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a bachelor’s degree from an accredited college or university. (4) Three years of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses an associate in arts or associate in science degree, or the equivalent, from an accredited college. (5) Four years of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possess a high school diploma or the equivalent.”

Documentation which is considered acceptable for establishing the qualifications for candidates includes, but is not limited to certificates, declarations under penalty of perjury, diplomas, and/or official correspondence. Documentation or a declaration under penalty of perjury must be filed at the time nomination papers are issued.

Term: 4 years, commencing January 7, 2019

## **CANDIDATE FILING FEES AND SIGNATURE-IN-LIEU REQUIREMENTS**

### **NON-PARTISAN OFFICES**

<b><u>Office</u></b>	<b><u>Salary</u></b>	<b><u>Filing Fee</u></b>	<b><u>In-Lieu Signatures</u></b>	<b><u>Value per Signature</u></b>	<b><u>Nomination Signatures</u></b>
Sup. of Public Instruction	\$170,080.00	\$3,401.60	7,000	\$0.485943	65 - 100
Superior Court Judge	\$200,042.00	\$2,000.42	6,002	\$0.333333	20 - 40
Assessor	\$230,231.04	\$2,302.31	6,907	\$0.333333	20 - 40
County Supervisor	\$160,033.74	\$1,600.34	4,802	\$0.333333	20 - 40
District Attorney	\$343,760.56	\$3,437.61	10,313	\$0.333333	20 - 40
Sheriff	\$289,197.22	\$2,891.97	8,676	\$0.333333	20 - 40

## WRITE-IN CANDIDATES

*FILING DATES: April 9 through May 22, 2018*

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 8 of the Elections Code, commencing at Section 8600.

### Statement of Write-In Candidacy

Between April 9 and May 22, 2018, a candidate must file a Statement of Write-In Candidacy. The Statement of Write-In Candidacy shall contain the following information:

- candidate's name;
- candidate's complete residence address;
- a declaration stating that the candidate is a write-in candidate;
- the name of the office for which the candidate is running;
- candidate's 10-year political party preference, if running for a voter-nominated office;
- the party nomination which he or she seeks, if running for a partisan office;
- the date of the election;
- for offices of District Attorney, Sheriff and Judge of the Superior Court, a statement that the candidate meets the statutory and constitutional requirements.

§8600

### Nomination Papers

Between April 9 and May 22, 2018, a candidate must circulate nomination papers for required signatures and file them for examination with the county elections official of the county in which the signers reside.

§8601

The required numbers of signers to a write-in candidate's nomination paper for the respective offices are as follows:

- Statewide constitutional offices: 65 – 100 signatures
- Member of the State Board of Equalization, Member of House of Representatives and state legislative offices: 40 – 60 signatures
- County offices and Judge of the Superior Court: 20 – 40 signatures

§8062

For a Voter-Nominated office, in order to have a write-in candidate's name on the ensuing General Election ballot, the write-in candidate must receive the highest number of votes cast for the office or the second highest number of votes cast for the office, unless there is a tie or a vacancy, or unless another candidate has been elected to the office by winning a majority of the votes. §8605



## **Filing Fee**

No fee or charge shall be required of a write-in candidate.

§8604

## **Judicial Unopposed Candidate Write-In Requirements**

There are specific conditions for placing unopposed judicial candidates on the ballot with a write-in campaign. According to Elections Code 8203:

(a) In any county in which only the incumbent has filed nomination papers for the office of superior court judge, his or her name shall not appear on the ballot unless there is filed with the elections official, within 10 days after the final date for filing nomination papers for the office, a petition indicating that a write-in campaign will be conducted for the office and signed by at least 0.1 percent of the registered voters qualified to vote with respect to the office, provided that the petition shall contain at least 100 signatures but need not contain more than 600 signatures.

(b) If a petition indicating that a write-in campaign will be conducted for the office at the general election, signed by the number of registered voters qualified to vote with respect to the office specified in subdivision (a), is filed with the elections official not less than 83 days before the general election, the name of the incumbent shall be placed on the general election ballot if it has not appeared on the direct primary election ballot.

(c) If, in conformity with this section, the name of the incumbent does not appear either on the primary ballot or general election ballot, the elections official, on the day of the general election, shall declare the incumbent reelected. Certificates of election specified in Section 15401 or 15504 shall not be issued to a person reelected pursuant to this section before the day of the general election.

Should you have questions regarding provisions of the election code, please speak with a staff member of the Office of the Registrar of Voters.

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# ATTENTION

If you are registered as a Confidential Voter

and

Do not want to disclose your residential address  
on the nomination documents

Check with us!

Eligibility to register as a confidential voter:

1. Superior Court order
2. Safe At Home Program
3. Public Safety Officer

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## **NOMINATION DOCUMENTS AND FILING PROCEDURES**

All forms required for nomination and election to all federal, state, judicial, and county offices shall be **furnished by the county elections official.** At the time of issuing these forms the county elections official shall:

- 1) type on the forms the name of the candidate and the office for which he or she is a candidate;
- 2) imprint a stamp on the form which reads "Official Filing Form;" and
- 3) affix his or her signature on the form.

The forms shall be distributed to all candidates applying for them upon payment of the filing fee. The county elections official shall not require a candidate to sign, file, or sign and file, a Declaration of Candidacy as a condition of receiving nomination papers. §8020, 8101

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## **NONREFUNDABLE FILING FEES**

The filing fees for all candidates required to file declarations of intention to become a candidate shall be paid at the time such declarations are filed with the county elections official. The filing fees for all other candidates shall be paid at the time candidates obtain their nomination forms from the county elections official. The county elections official shall not accept any papers unless the fees are paid at the time required by this section, or unless satisfactory evidence is given to the county elections official or to the registrar of voters that the fee has been paid at the time of the Declaration of Candidacy in another county. All filing fees received by the Secretary of State and county elections officials are nonrefundable. §8105

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## **PETITIONS-IN-LIEU OF FILING FEE (Signatures-in-Lieu - Optional)**

**December 14, 2017 - February 7, 2018. All offices for which there is a filing fee.**

**NOTE FOR CANDIDATES RUNNING FOR MULTI-COUNTY OFFICES:** *When there is more than one county involved in a specific jurisdiction, candidates may obtain the Petition-in-Lieu form from any county in the jurisdiction. Santa Clara County will accept another county's Petition-in-Lieu forms but we recommend that the candidate contact the other counties involved to determine if they will accept our forms.*

A candidate may submit a petition containing signatures of registered voters in-lieu of paying the filing fee to run for office. The signatures submitted may cover all or a pro rata portion of the filing fee. If a voter signs more candidates' petitions than there are offices to be filled, the voter's signature shall be valid only on those petitions, which taken in the order they were filed, do not exceed the number of offices to be filled. §8106

A candidate, or his/her representative, may obtain the petition-in-lieu of filing fee form from the Santa Clara County Registrar of Voters beginning December 14, 2017. The forms will not be mailed to candidates. The deadline to submit your petitions-in-lieu signatures is February 7, 2018.

No signatures may be filed after the filing date. That portion of the filing fee not covered by the signatures must be paid in full before the nomination documents may be filed. §§8105, 8106

### **Who Can Circulate**

Each circulator of a petition-in-lieu shall be 18 years of age or older.

All signatures on a petition form must be obtained and witnessed by the same circulator. The circulator must complete, by hand, and sign the affidavit on the petition. §104

### **Petition Signers**

Any registered voter may sign a petition-in-lieu for any candidate for whom he or she is eligible to vote. §8106(b)(1)

Each signer of the petition must affix their signature and shall include their printed name and residence address, in the presence of the circulator. All signers of the same section of a petition must be registered in one county. Different sections must be used in each county where the petitions are circulated and filed with the county elections official in each county.

### **Signatures Required**

Please refer to the Candidate Qualifications and Information pages for the required number of signatures. Candidates who submit petitions-in-lieu that do not contain the requisite number of signatures for their nomination papers are still entitled to file nomination papers during the nomination period. The number of valid signatures on the petition-in-lieu may be applied to and combined with the valid number of signatures on the nomination paper to satisfy the nomination signature requirement for the office.

### **Signatures-In-Lieu of Filing Fee used for Nomination**

If a candidate submits a petition-in-lieu, the county elections official shall count all valid signatures appearing on the petition toward the number of nomination signatures required for the candidate's nomination paper if requested by the candidate. If the petition-in-lieu contains the requisite number of valid signatures for the nomination paper, the candidate is not required to circulate and file a nomination paper. If the petitions-in-lieu of filing fee does not contain the requisite number of valid signatures for the nomination paper, the candidate shall be entitled to file, within the time period allowed for filing nomination papers, a nomination paper in order to obtain the requisite number of valid signatures required to be submitted to the elections official on a nomination paper. The nomination paper shall be delivered to the county elections official of the county in which the signer resides and is a voter. **NOTE:** The candidate is still required to file a Declaration of Candidacy during the nomination period. §§8061, 8062, 8106

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## **DECLARATION OF INTENTION (JUDICIAL OFFICES ONLY)**

**January 29 – February 7, 2018**

### **Judicial Offices**

Candidates for a Judicial office are required to file a Declaration of Intention to become a candidate prior to filing their nomination documents. The Declaration of Intention is obtained from, and must be filed with, the county elections official of the county in which the candidate's nomination papers are required to be filed. No candidate for a Judicial office shall be required to state his or her residential address on the Declaration of Intention provided for in this section. However, in cases where the candidate does not state his or her residential address on the Declaration of Intention, the elections official shall verify that the address is within the appropriate political subdivision and add the notation "verified" to the residential address line of the form. §8023(c)

The Declaration of Intention must be filed during the period of January 29 – February 7, 2018. The nonrefundable filing fee for the office must also be paid at the time the Declaration of Intention is filed. If payment is by signatures-in-lieu, the candidate MUST file the required number of in-lieu signatures by February 7, 2018. §§8023, 8104, 8105

### **Declaration of Intention – Extension Period**

**February 8 – February 12, 2018**

If the incumbent of a judicial office fails to file a Declaration of Intention by February 7, 2018, persons other than the incumbent may file declarations of intention no later than February 12, 2018, which is the first day for filing nomination papers. §8023

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## **NOMINATION PETITIONS**

**February 12 - March 9, 2018**

**NOTE FOR CANDIDATES RUNNING FOR MULTI-COUNTY OFFICES:** *When there is more than one county involved in a specific jurisdiction, candidates may obtain the Nomination Paper form from any county in the jurisdiction. Santa Clara County will accept another county's nomination petition forms, but we recommend that the candidate contact the other counties involved to determine if they will accept our forms.*

### **Who Can Circulate**

Circulators of nomination petitions shall be 18 years of age or older.

All signatures on a petition form must be obtained and witnessed by the same circulator. The circulator must complete, by hand, and sign the affidavit on petition form. §104

## **Who Can Sign**

Signers of nomination petitions for **Voter-Nominated Offices** shall be registered voters in the district or political subdivision in which the candidate is to be voted on. No signer shall, at the time of signing a certificate, have his or her name signed to any other nomination paper for any other candidate for the same office or, in case there are several places to be filled in the same office, signed to more nomination papers for candidates for that office than there are places to be filled. §§8068, 8069

## **Verification of Signatures on Nomination Papers**

The county elections official shall verify the signatures and the political preference, if required, of the signers on the nomination paper with the registration affidavits on file in the office of the county elections official. The county elections official shall mark “not sufficient” any signature that does not appear in the same handwriting as appears on the affidavit of registration in his or her office. The county elections official may cease to verify signatures once the minimum requisite number of signatures has been verified. §8081

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

## **Maximum Signers of Nomination Papers**

Please refer to the Candidate Qualifications and Information pages for the required number of nomination signatures. No more signers shall be secured for any candidate than the maximum number required. If, however, through miscalculation or otherwise, more signers are secured than the maximum number, the officer with whom the nomination papers are filed shall, with the written consent of the candidate, withdraw the excess number. §8067

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## **DECLARATION OF CANDIDACY (Required Form)**

**February 12 – March 9, 2018**

**NOTE FOR CANDIDATES RUNNING FOR MULTI-COUNTY OFFICES:** *When there is more than one county involved in a specific jurisdiction the candidate must file the Declaration of Candidacy in the county of residence.*

No candidate’s name shall be printed on the ballot to be used in the election unless a Declaration of Candidacy and nomination petition are delivered for filing with the county elections official. The candidate is to execute the Declaration of Candidacy in the office of the county elections official unless the candidate has signed and dated a written statement authorizing a person to receive a Declaration of Candidacy form from the county elections official for the candidate or, upon request of a candidate, the county elections official shall provide the candidate with a Declaration of Candidacy and nomination papers. Such statement shall include language explaining that the candidate is aware that the Declaration of Candidacy must be properly executed and delivered to the county elections official of the county of the candidate’s residence by 5:00 p.m., March 9, 2018. §§8020, 8028



## **Name as it Will Appear on the Ballot**

**The candidate's name as provided by the candidate on the Declaration of Candidacy is the way it will appear on the ballot.** The Declaration of Candidacy cannot be changed after the nomination deadline. §13107(d)

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

If the candidate has changed his or her name within one year prior to the election, the new name will not appear on the ballot unless the change was made by marriage or by Decree of Court. §13104

## **Ballot Designation**

The ballot designation is the word, or group of words that will appear on the ballot under the candidate's name, designating the current principal profession, vocation, or occupation of the candidate. The ballot creation program has a limit of 100 characters in all languages for the ballot designation line. A ballot designation that exceeds 100 characters will be cut off. Therefore, lengthy ballot designations are discouraged by the Office of the Registrar of Voters.

The ballot designation that a candidate may use is governed by Elections Code §13107 which states the following:

(a) With the exception of candidates for Justice of the State Supreme Court or court of appeal, immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations:

- (1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people.
- (2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people.
- (3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. .
- (4) The phrase "appointed incumbent" if the candidate holds an office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." However, the phrase "appointed incumbent" shall not be required of a

candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) It would mislead the voter.
- (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
- (3) It abbreviates the word "retired" or places it following any word or words which it modifies.
- (4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of the word "retired."
- (5) It uses the name of any political party, whether or not it has qualified for the ballot.
- (6) It uses a word or words referring to a racial, religious, or ethnic group.
- (7) It refers to any activity prohibited by law.

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

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

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

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

(h) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, by July 31, 2018, requests in writing a different designation which the candidate is entitled to use at the time of the request.

Elections Code Section 13107.5 states:

- (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 has defined "Community Volunteer" as a person who engages in an activity or performs a service for or on behalf of, without profiting monetarily, one or more of the following: (1) A charitable, educational, or religious organization as defined by the United States Internal Revenue Code section 501(c)(3); (2) A governmental agency; or (3) An educational institution.

**Extension of Filing Period if Incumbent Does Not File  
March 10 – March 14, 2018**

Notwithstanding §8020 or any other provision of the law, if nomination documents for an incumbent officer of a county are not delivered by 5 p.m. on the 88<sup>th</sup> day (March 9, 2018) before the election, any person other than the person who was the incumbent on the 88<sup>th</sup> day shall have until 5 p.m. on the 83<sup>rd</sup> day (March 14, 2018) before the election to pick up or file nomination documents for the elective office. §8024

This section is not applicable where there is no incumbent eligible to be elected. §8024

### **Withdrawal of Candidate**

No candidate whose declaration of candidacy has been filed for any primary election may withdraw as a candidate at that primary election. §8800

No candidate nominated at any primary election may withdraw as a candidate at the ensuing general election except those candidates permitted to withdraw by this part. §8801

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### **POSITION ON THE BALLOT**

#### **Randomized Alphabet Drawing**

On March 15, 2018, the Secretary of State shall conduct a random drawing of the alphabet, and the Registrars of Voters/County Clerks throughout the state will follow this same alphabet for most offices. Names of candidates will be arranged on the ballot in accordance with the random alphabet. However, each county which has state legislative offices overlapping with other counties will draw their own random alphabet and candidates from each county will appear according to each separate county's drawing. Names of candidates will be arranged on the ballot in accordance with the random alphabet. §13112

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### **ADDITIONAL NOMINATION FORMS**

#### **BALLOT DESIGNATION WORKSHEET (Required Form)**

All candidates are required to file a Ballot Designation Worksheet that supports the use of the ballot designation listed on their Declaration of Candidacy. Failure to file this form will cause no designation to appear under the candidate's name on the ballot.

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#### **CHINESE GIVEN NAME/PREFERRED TRANSLITERATION (Required Form)**

If you have a Chinese given name or preferred transliteration you would like used in the Official Ballot and the Chinese version of the County Voter Information Guide, you must file this form with our office at the time of filing your nomination documents.

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#### **REQUEST FOR VIETNAMESE NAME ACCENTS (Optional Form)**

Candidates with Vietnamese names who choose to put a candidate's statement in the County Voter Information Guide and would like to put accents on their Vietnamese name in the Vietnamese version of the County Voter Information Guide must file this form with our office at the time of filing nomination documents.

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**CANDIDATE’S STATEMENT OF QUALIFICATIONS (Required Form, Statement Optional)**

Candidates for non-partisan elective offices must file the Candidate’s Statement of Qualifications form. The statement is optional, but the form must be filed to indicate whether or not you wish to have a statement appear in the Voter Information portion of the County Voter Information Guide. See the “Candidate’s Statement of Qualifications” section of this guide for further information.

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**CODE OF FAIR CAMPAIGN PRACTICES (Optional Form)**

At the time an individual files his or her Declaration of Candidacy, nomination petition, or any other paper evidencing an intention to be a candidate for public office, the elections official shall give the individual a copy of the Code of Fair Campaign Practices and a copy of the provisions of Ch. 5, Div. 20 of the Elections Code. §20440

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**DEPT. OF TRANSPORTATION STATEMENT OF RESPONSIBILITY (Informational Form)**

The California Department of Transportation has specific guidelines and responsibilities pertaining to political signs placed within their areas of jurisdiction. Each candidate receives an informational form letter and a sample copy of the Department of Transportation’s “Statement of Responsibility” form at the time nomination documents are issued.

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# CANDIDATE'S STATEMENT OF QUALIFICATIONS

## GUIDELINES AND COST

### VOTER-NOMINATED OFFICES

Pursuant to Elections Code section §13307.5, Congressional candidates may elect to have candidate's statement printed in the County Voter Information Guide (CVIG), not to exceed 250 words, candidates will follow the guidelines as set forth in this section.

Following the passage of Proposition 34, candidates for state legislative elective offices (State Senate and Assembly) became eligible to submit a candidate's statement for the CVIG. **Only candidates who have adopted the voluntary expenditure limits, pursuant to Proposition 34, are eligible to submit a statement.** The Registrar of Voters shall determine, based on information provided by the Secretary of State's Office, whether the candidate has adopted (and has not exceeded) expenditure limits pursuant to Proposition 34.

In order to adopt the expenditure limits a state legislative candidate must indicate whether or not they wish to adopt them on the Form 501, which is required to be filed before a candidate may receive contributions or make expenditures in connection with a campaign. The original Form 501 must be filed with the Secretary of State, and we ask that you file a courtesy copy with the Office of the Registrar of Voters. Statements for state legislative candidates are submitted and printed pursuant to Government Code §85601.

Candidates for state legislative and Congressional offices shall submit statements in accordance with the timeframes and procedures set forth in the Elections Code for the preparation of the CVIG. State legislative and Congressional candidates submit their statement at each county's Registrar of Voters office in the jurisdiction they are running in. State legislative and Congressional candidates may file a statement in each of the counties that the jurisdiction encompasses. The statement that is filed in each county is not required to be the same version. A candidate may also choose not to file in all counties encompassed in a jurisdiction.

*Important notice to candidates in districts that encompass more than one county. Procedures, requirements, fees and formats for candidates' statements may vary between counties. It is the candidate's responsibility to contact each county (in which he or she wishes to have a statement printed) in which the district falls to obtain the appropriate information from each county. Failure to do so may jeopardize the printing of the candidate's statement.*

### Candidate Information

The text of the statement shall not exceed 250 words. For more information refer to the "Rules for Counting Words" in this guide. All statements must be submitted with the form provided by the county elections official of the county in which the candidate wishes to have his or her statement printed. Statements must be formatted pursuant to the guidelines provided by each county.

## Content

The statement contains the candidate's name, occupation of the candidate, age and a brief description of no more than 250 words. Statements 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. §§13307, 13308

The use of jargon, colloquialisms, slang, or other such expressions is **strongly discouraged**. Phrases such as "monster home" and "where's the beef" are difficult to translate appropriately into other languages and the meanings are often misinterpreted or lost. For example, "monster home", a local term for a home that is much larger than the other homes in the neighborhood, may be incorrectly translated as a "home of monsters". Candidates are encouraged to keep the translation process in mind when developing their statements and to use unambiguous and straightforward vocabulary.

## Format

Candidate statements are printed in the CVIG in block paragraph format with standard indents at the beginning of each paragraph. In order to insure uniformity of candidate statements, the candidate must prepare the statement as follows:

- Type the statement in single spaced **paragraph format** and upper and lower case letters. Each paragraph must begin with a standard indent. Statement must be typewritten or computer printed.
- Typeface of statement must be of uniform size and darkness with no unusual spacing. This means **NO CAPITALS** or bullets used for emphasis, underlining, **bold face** or *italics* will be permitted.
- Check statement for errors in spelling, punctuation and grammar. Statements will appear in the CVIG **exactly as submitted by the candidate**. **NO** corrections or changes to content, format or spacing will be allowed after the statement has been filed unless ordered by a court.
- Statements **must be** confined to the maximum number of words, the maximum lines allowed and the maximum character positions in a line. Blank lines are included in the line maximum count and punctuation and spaces are included in the character position maximum count. A 250-word statement has a maximum of 44 lines with approximately 72 character positions per line. Using a computer to determine a statement's word count **is not recommended**. Please refer to "Rules for Counting Words" for guidelines on computing word counts.



**ALL STATEMENTS MUST BE IN PARAGRAPH FORMAT WITH INDENTS BEGINNING EACH PARAGRAPH**

When candidate statements are translated into other languages the amount of text increases. Some of the translated candidate statements grow about 30% in size from the size of the original statement. The 44 line limit per 250 word candidate statement is an estimated number and may vary depending on the length of words and characters in a line. Therefore, it may be necessary for the Office of the Registrar of Voters to contact a candidate so that they reduce the number of lines in their candidate statement, which is usually complied with by combining paragraphs.

**Statements will NOT be accepted unless they conform to these uniform guidelines.**

**Filing Information**

Candidates' statements shall be filed together with all other nomination documents in the office of the elections official of each county within the district, in which the candidate wishes a statement to be printed, not later than 5:00 p.m. on the 88<sup>th</sup> day prior to the election (March 9, 2018), or in the event that the nomination period has been extended, until 5:00 p.m. on the 83<sup>rd</sup> day prior to the election (March 14, 2018), whichever is applicable. §§8024, 13307

*It is strongly recommended that the statement be filed personally by the candidate. If the statement is filed by someone other than the candidate, that person should have the authority to make corrections or deletions to the statement in the event that errors or an excess number of words are detected prior to filing the statement. Statements may not be changed after filing, except with a court order.*

**Liability**

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 CVIG §13307

**Confidentiality**

The candidate statements shall remain confidential until the close of the nomination period for the office sought. You may view or purchase copies of any candidate's statement beginning the day after the close of the nomination period. §13311

**Challenge of Contents**

There is a 10-calendar day public examination period immediately following the filing deadline of candidate statements when the statements may be reviewed. During this 10-calendar day examination period, any voter of the jurisdiction in which the election is being held or any candidate, may take legal action to challenge the contents of the statement. §13313

Our office **highly** recommends if anyone wishes to pursue a legal challenge and obtain a writ of mandate to amend or delete any portion of a candidate's statement, this legal challenge should be filed immediately. Refer to the "Legal Examination and Writs of Mandate" section in this guide for complete information.

### **Withdrawal**

The statement may be withdrawn, but **NOT** changed, until 5:00 p.m. of the next business day after the close of the nomination period for the office sought. §13307

### **Translations of Statements**

The candidate statements will be translated in the Chinese, Spanish, Tagalog and Vietnamese languages, and will appear in the CVIG.

### **Cost**

Pursuant to the census population results and the Federal Voting Rights Act of 1965, our office is mandated by the federal government to print and distribute candidate statements in the CVIG in five (5) languages: Chinese, English, Spanish, Tagalog and Vietnamese.

Required costs of providing statements (including translated statements) to voters shall be borne by the candidates, and payment must be made at the time of filing. The county elections official shall estimate the cost of providing the statement, based on current estimates of actual costs of printing and distributing candidate statements (including printing, handling, translating, and mailing). **No statement will be accepted that is not accompanied by payment of the estimated cost at the time of filing.**

If a candidate alleges to be indigent, the elections official will follow the procedures set forth in §13309 to determine indigence. Even if a candidate is determined to be indigent, he/she is still required to pay the actual cost of providing the statement after the election.

If the actual cost of printing the statement exceeds the deposited amount, the candidate will be invoiced for the remainder of the cost. If the actual cost of printing the statement is less than the deposited amount, the candidate will receive a refund of the overpayment. The actual cost will not be determined until after the election.

If district boundaries encompass multiple counties, and a candidate would like to have the candidate statement to appear on all of the CVIGs, he/she must go to each county and file a candidate statement and make any applicable payment.

The Santa Clara County cost estimates for candidates' statements in state legislative and Congressional jurisdictions are listed on the next page.

**Estimated Costs for Candidate Statements only for Santa Clara County**

<b><u>District</u></b>	<b><u>250 Word Statement</u></b>
17 <sup>th</sup> Congressional	\$5,475
18 <sup>th</sup> Congressional	\$6,470
19 <sup>th</sup> Congressional	\$7,135
20 <sup>th</sup> Congressional	\$1,870
10 <sup>th</sup> State Senate	\$3,970
24 <sup>th</sup> Assembly	\$4,480
25 <sup>th</sup> Assembly	\$3,980
27 <sup>th</sup> Assembly	\$4,915
28 <sup>th</sup> Assembly	\$5,830
29 <sup>th</sup> Assembly	\$2,600
30 <sup>th</sup> Assembly	\$2,675

# CANDIDATE'S STATEMENT OF QUALIFICATIONS

## GUIDELINES AND COST

### NON-PARTISAN OFFICES

(Elections Code Sections 13307, 13308, 13309, 18351)

Each candidate for a **nonpartisan** elective office may submit a candidate statement for the County Voter Information Guide (CVIG) at the time that he or she files nomination papers. The purpose of the voluntary candidate statement is to acquaint voters with the candidate's qualifications for the office he or she is seeking. The candidate statement is incorporated into the CVIG and is mailed to all registered voters eligible to vote for the candidate.

#### Content

A candidate's statement may contain the candidate's name, occupation, age, and a brief description of their education and qualifications as expressed by the candidate. Statements shall not, in any way, make reference to other candidates for office or to another candidate's qualifications, character, or activities. The occupation listed on a candidate statement is not mandated to be the same occupation listed as your ballot designation on the Declaration of Candidacy. The occupation on the statement is not limited to the laws that apply to your ballot designation. Statements are limited in length to not more than 200 words.

The candidate statement may **not** include any party affiliation of the candidate, **nor** include membership or activity in partisan political organizations.

The use of jargon, colloquialisms, slang, or other such expressions is **strongly discouraged**. A phrase such as "monster home" is difficult to translate appropriately into other languages and the meaning is often misinterpreted or lost. For example, "monster home", a local term for a home that is much larger than the other homes in the neighborhood, may be incorrectly translated as a "home of monsters". Candidates are encouraged to keep the translation process in mind when developing their statements and to use unambiguous and straightforward vocabulary.

#### Format

Candidate statements are printed in the CVIG in block paragraph format with standard indents at the beginning of each paragraph. In order to insure uniformity of candidate statements, the candidate must prepare the statement as follows:

- Type the statement in single spaced **paragraph format** and upper and lower case letters. Each paragraph must begin with a standard indent. Statement must be typewritten or computer printed.
- Typeface of statement must be of uniform size and darkness with no unusual spacing. This means **no bullets**, **NO CAPITALS** used for emphasis, underlining, **bold face** or *italics* will be permitted.

- Check the statement for errors in spelling, punctuation and grammar. Statements will appear in the CVIG **exactly as submitted by the candidate**. **NO** corrections or changes to content, format or spacing will be allowed after the statement has been filed unless ordered by a court.
- Statements **must be** confined to the maximum number of words, the maximum lines allowed and the maximum character positions in a line. If blank lines between paragraphs are contained in the statement, the blank lines will be included in the line maximum count. Punctuation and spaces are included in the character position maximum count. A 200-word statement has a maximum of 22 lines with approximately 72 character positions per line. If your occupation requires more than one line, each additional line will be counted in the maximum line count for the statement. Using a computer to determine a statement’s word count **is not recommended**. Please refer to “Rules for Counting Words” for guidelines on computing word counts.

**FOLLOW THE GUIDELINES! STATEMENTS MUST BE IN PARAGRAPH FORMAT WITH INDENTS BEGINNING EACH PARAGRAPH!**

When candidate statements are translated into other languages, the amount of text increases. Some of the translated candidate statements grow about 30% in size from the size of the original statement. The 22 lines limit per 200 words candidate statement is an estimated number and may vary depending on the length of words and characters in a line. Therefore, it may be necessary for the Office of the Registrar of Voters to contact a candidate so that they reduce the number of lines in their candidate statement; which is usually complied with by combining paragraphs.

**Statements will be printed in accordance with the Office of the Registrar of Voters’ standards.**

**Restrictions**

The candidate statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. Photographs of candidates are not permitted in the CVIG. §13307

**Liability**

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 CVIG.

Any candidate who knowingly makes a false statement of material fact in a candidate statement, prepared pursuant to Elections Code Section 13307, with the intent to mislead the voters in connection with his or her campaign for nomination of election to a nonpartisan office is punishable by a fine not to exceed \$1,000. §13307

## **Confidentiality**

The candidate statements shall remain confidential through the close of the nomination period for the office sought. You may view or purchase copies of any candidate's statement beginning the business day after the close of the nomination period. §13311

## **Challenge of Contents**

There is a 10-calendar day public examination period immediately following the filing deadline of candidate statements when the statements may be reviewed for potential legal action. During this 10-calendar day examination period, any voter of the jurisdiction in which the election is being held, or any candidate may take legal action to challenge the contents of the statement. §13313

Our office **highly recommends** if anyone wishes to pursue a legal challenge and obtain a writ of mandate to amend or delete any portion of a candidate's statement, this legal challenge should be filed immediately. Refer to the "Legal Examination and Writs of Mandate" section in this guide for more information.

## **Withdrawal**

The statement may be withdrawn, but **NOT** changed, until 5:00 p.m. of the next business day after the close of the nomination period for the office sought. If a candidate statement is withdrawn, a new statement **cannot** be filed. §13307

## **Translations of Statements**

The candidate statements will be translated in the Chinese, Spanish, Tagalog and Vietnamese languages, and will appear in the CVIG.

## **Cost**

Pursuant to the census population results and the Federal Voting Rights Act of 1965, our office is mandated by the federal government to print and distribute election materials, including candidate statements in the CVIGs in five (5) languages: Chinese, English, Spanish, Tagalog and Vietnamese.

The county elections official shall estimate the cost of providing the statement, based on current estimates of actual costs of printing and distributing candidate statements (including printing, handling, translating, and mailing). **No statement will be accepted that is not accompanied by payment of the estimated cost(s) unless there is no deposit required.** The actual cost of statement will be available after the election when expenses incurred are calculated. If actual costs are less than the pre-paid estimated costs, candidates will receive a refund. If the actual costs are more than the estimated costs, the district will be billed for the additional charges.

If a candidate alleges to be indigent, the elections official will follow the procedures set forth in §13309 to determine indigence. Even if a candidate is determined to be indigent, he/she is still required to pay the actual cost of providing the statement after the election.

### **Candidate statement fee check**

The Office of Registrar of Voters will shred the candidate statement fee check for contests that do not appear on the ballot due to insufficient filings. If you would like to pick up your check in our office instead, you shall notify the office in advance.

Statement cost for offices of Judge of the Superior Court is \$2,001. Statement cost for offices of the Board of Supervisors and County offices are paid by the jurisdiction.

**RULES FOR COUNTING WORDS**

The following guidelines are for computing the word count for candidate statements. The *title, occupation and age* **are not included in the word count**, only the text of the statement is counted. The Office of the Registrar of Voters will make final determination of the word count.

**Word(s)**

Punctuation ..... **Free**

Dictionary words ..... **One**  
"I", "the", "and", etc. are counted as individual words.

Abbreviations/Acronyms..... **One**  
Examples: SJSU, PTA, U.S.M.C., S.J.P.D.

Geographical name ..... **One**  
Examples: San Jose - 1 word  
County of Santa Clara - 1 word

Numbers/Numerical Combinations/E-Mail Addresses:  
Digits (1, 10, or 100, etc.)..... **One**  
Spelled out (one, ten, or one hundred) ..... **One for each word**  
50%, 1/2, etc. .... **One**  
Internet/E-mail addresses (www.sccvote.org/johndoe@vote.com)..... **One**

Number or letter used to identify a portion of text ..... **One**  
Examples: (1), (a) will be counted as one word

Dates:  
All digits (01/01/15)..... **One**  
Words and digits (January 1, 2015) ..... **One**

Characters used in place of word or number (& or #) ..... **One**

Proper Noun..... **One**

Hyphenated words that appear in any generally available dictionary, printed in the United States within the past 10 years, shall be considered as one word. Each part of all other hyphenated words shall be counted as separate words.

Example: mother-in-law = 1 word  
one-half = 2 words



## **CAMPAIGN FINANCE DISCLOSURE INFORMATION**

The Political Reform Act requires candidates to file campaign statements disclosing contributions received and expenditures made. The statutory requirements of the Political Reform Act are contained in §81000 through §91015 of the California Government Code. Manuals and forms relating to campaign reporting obligations under the Act may be obtained from your local elections official.

It is the responsibility of the candidate to review, understand and comply with all campaign disclosure laws, and candidates should consult the manuals produced by the Fair Political Practices Commission (FPPC). Assistance and information on completing campaign statements is provided by the Technical Assistance Division of FPPC at 1-916-322-5660, 1-866-275-3772 or on their website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

**THIS SECTION IS FOR GENERAL INFORMATION ONLY AND DOES NOT HAVE THE EFFECT OF LAW, REGULATION OR RULE. IN CASE OF CONFLICT, THE LAW, REGULATION OR RULE WILL APPLY. THIS SECTION IS NOT COMPREHENSIVE AND DOES NOT DETAIL ALL FILING REQUIREMENTS AND OBLIGATIONS. FOR CURRENT COMPREHENSIVE INFORMATION, CONSULT A FPPC MANUAL OR CONTACT THE FPPC.**

### **Candidates who anticipate receiving or spending < \$2,000**

**Form 501 Candidate Intention Statement** – This form announces the candidate’s intention to run for office. All candidates must file this form prior to solicitation or receipt of any contribution, or expenditure of any personal funds used for the election. This form is considered filed the date it is postmarked or hand delivered to the Office of the Registrar of Voters. Local candidates complete parts 1 and 3 and state legislative candidates complete parts 1, 2 and 3. An unsigned statement is not considered filed. You must file a separate Form 501 for each election.  
Government Code §85200

**Form 470 Officeholder and Candidate Campaign Statement-Short Form** - Candidates who do **not** anticipate spending or receiving \$2,000 or more during the calendar year, and do not have a controlled committee, need to file this form.

**Form 470 Supplement** – After the candidate has filed a Form 470 and then subsequently receives contributions (including monetary or non-monetary contributions, loans and the candidate’s personal funds) totaling \$2,000 or more or makes expenditures totaling \$2,000 or more, is required to send written notification, (the Form 470 Supplement) within 48 hours, to the Office of the Registrar of Voters, the Office of the Secretary of State and to each candidate seeking the same office. Regular mail may not be used. Send by Fax, guaranteed overnight delivery or personal delivery. The candidate must file a Form 410 Statement of Organization within 10 days of receiving \$2,000 in contributions.

### **Candidates who anticipate receiving or spending ≥ \$2,000**

Please refer to the appropriate manual for further details on filing requirements. Below is a brief description of some of the forms you may be required to file. FPPC forms are available from the FPPC's website or at the Office of the Registrar of Voters.

**Form 501 Candidate Intention Statement** - Same requirements as stated on previous page.

**Form 410 Statement of Organization** - This completed form must be filed with the Secretary of State's Political Reform Division (original) and with the Office of the Registrar of Voters (copy), within 10 days of receiving ≥ \$2,000 in contributions or spending ≥ \$2,000 in expenditures. The term "contribution" includes monetary payments, loans and non-monetary goods or services. You will need to establish a campaign contribution account at any financial institution located in California before you can complete the Form 410. 1) All contributions or loans made to the candidate, to a person on behalf of the candidate, or to the candidate's controlled committee shall be deposited in the account. 2) Any personal funds which will be utilized to promote the election of the candidate shall be deposited in the account prior to expenditure. 3) All campaign expenditures shall be made from this account.\*

Government Code §85201

Exception: \* This does not apply to a candidate's payment of a filing fee and/or statement of qualifications from his/her personal funds.

Upon filing of the Form 410 with the Office of the Secretary of State, they will issue you a committee ID number, which you must include on all subsequent disclosure filings. A Form 410 may be filed **prior** to the receipt of \$2,000 in order to obtain an ID number and/or to submit bank account information. However, within ten days of receiving or spending \$2,000 or more, you must file an **amended Form 410**. The date you qualify as a committee is the date you received \$2,000 or more and requires that you file an **amended Form 410**. Any time you change any information listed on a previously filed Form 410, such as addresses or treasurer information, you must file an **amended Form 410**. All amended forms must be filed with both the Secretary of State/Political Reform Division and the Office of the Registrar of Voters.

Once you have filed your Form 410 and have been assigned your ID number, you will file the Form 460 Recipient Committee Campaign Statement according to the filing calendar set by the FPPC. Your ID number must appear on every form you file during your campaign. **ALL** candidate controlled committees **MUST FILE** the Form 460 by the appropriate deadlines for each filing period. **If you do not file your campaign statement by the deadline, you are subject to a fine.** Local candidates file their Form 460 reports only with the Office of the Registrar of Voters.

The Form 410 is also used to **terminate** your committee upon fulfilling all applicable requirements.

**Form 460 - Recipient Committee Campaign Statement** – For use by a candidate or officeholder not eligible to file the short form (Form 470) or who is filing jointly with one or more controlled committees. A controlled committee is one that is controlled directly or

indirectly by a candidate or which acts jointly with a candidate or controlled committee in connection with the making of expenditures.

**Form 496 – 24-hour Independent Expenditure Report** – This form **may** be used to report an independent expenditure and must be filed within 24 hours of making the independent expenditure **and** each time \$1,000 or more is spent to support or oppose a single measure during the 90 day period up to the day of the election in which the measure is being voted on. For local campaign committee, this form must be filed electronically. (Government Code Section 85501 prohibits a candidate’s controlled committee from making an independent expenditure to support or oppose another candidate.)

**Form 497 – 24-hour Contribution Report** – This form **may** be used to report a contribution made or received. Late contributions must be reported within 24 hours of receiving a monetary or nonmonetary contribution, including a loan, or a combination of monetary and nonmonetary contributions and loans that total **\$1,000 or more from a single source**, during the 90 day period up to the day of the election in which the candidate or measure is to be voted on. For local campaign committee, this report must be filed electronically.

*Note: All campaign statement forms can be completed and printed online on the FPPC website.*

### **Election Related Filings**

All committees must file reports by the filing deadline for the specific period set by the FPPC. These dates are set by law and cannot be changed. You will be required to amend your statement if your report does not list the correct reporting period. All committees should file by the appropriate method of delivery. A copy of the FPPC calendars is in this section.

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**Fair Political Practices Commission  
Filing Schedule for  
Candidates and Controlled Committees for Local Office  
Being Voted on June 5, 2018**

<b>Deadline</b>	<b>Period</b>	<b>Form</b>	<b>Notes</b>
<b>Jan 31, 2018</b> <i>Semi-Annual</i>	* – 12/31/17	<a href="#">460</a> or <a href="#">470</a>	<ul style="list-style-type: none"> <li>▪ <b>460:</b> All committees must file Form 460.</li> <li>▪ <b>470:</b> If a candidate raised or spent less than \$2,000 during 2017, file Form 470 (see below).</li> </ul>
<b>Within 24 Hours</b> <i>Contribution Reports</i>	<b>3/7/18 – 6/5/18</b>	<a href="#">497</a>	<ul style="list-style-type: none"> <li>▪ File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>▪ File if a contribution of \$1,000 or more in the aggregate is made to <i>another</i> candidate or measure being voted upon June 5, 2018.</li> <li>▪ The recipient of a non-monetary contribution of \$1,000 or more must file a Form 497 within 48 hours from the time the contribution is received.</li> <li>▪ File by personal delivery, e-mail, guaranteed overnight service, fax or online, if available.</li> </ul>
<b>Apr 26, 2018</b> <i>1<sup>st</sup> Pre-Election</i>	<b>1/1/18 – 4/21/18</b>	<a href="#">460</a> or <a href="#">470</a>	<ul style="list-style-type: none"> <li>▪ Each candidate listed on the ballot must file Form 460 or Form 470 (see below).</li> </ul>
<b>May 24, 2018</b> <i>2<sup>nd</sup> Pre-Election</i>	<b>4/22/18 – 5/19/18</b>	<a href="#">460</a>	<ul style="list-style-type: none"> <li>▪ All committees must file Form 460.</li> <li>▪ File by personal delivery, guaranteed overnight service or online, if available.</li> </ul>
<b>Jul 31, 2018</b> <i>Semi-Annual</i>	<b>5/20/18 – 6/30/18</b>	<a href="#">460</a>	<ul style="list-style-type: none"> <li>▪ All committees must file Form 460 unless the committee filed termination Forms 410 and 460 before June 30, 2018.</li> </ul>

**Additional Notes:**

- **\* Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **Local Ordinance:** Always check on whether additional local rules apply.
- **Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to the deadline for a Form 497 due the weekend before the election, or to any Form 496. 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.
- **Method of Delivery:** All paper filings are filed by personal delivery or first class mail unless otherwise noted. A paper copy of a report 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 (2017):** Non-incumbent candidates who raised or spent less than \$2,000 during 2017 and did not have an open committee must file Form 470 by January 31, 2018.
- **Form 470 (2018):** Candidates who do not raise or spend \$2,000 or more (or anticipate raising or spending \$2,000 or more) in 2018 and do not have an open committee may file Form 470 on or before April 26, 2018. If, later during the calendar year, a campaign committee must be opened, a Form 470 Supplement and a Form 410 must be filed.
- **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 forms are public documents. Campaign manuals and instructional materials are available at [www.fppc.ca.gov](http://www.fppc.ca.gov). Click on Learn, then Campaign Rules.
- **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.
- Click [here](#) to view a video on basic information for candidates and committees.

**Fair Political Practices Commission  
Filing Schedule for  
State Candidate Controlled Committees  
Listed on the June 5, 2018 Ballot**

<b>Deadline</b>	<b>Period</b>	<b>Form</b>	<b>Notes</b>
<b>Jan 31, 2018</b> <i>Semi-Annual</i>	* – 12/31/17	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file this report.</li> </ul>
<b>Within 10 Business Days</b> <i>\$5,000 Report</i>	<b>Ongoing – file any time other than 90-day election cycle</b>	497	<b>Only e-filers file this report:</b> <ul style="list-style-type: none"> <li>File if a contribution of \$5,000 or more is received from a single source.</li> <li>No paper copy is required.</li> </ul>
<b>Within 24 Hours</b> <i>Election Cycle Reports</i>	<b>3/7/18 – 6/5/18</b>	497	<ul style="list-style-type: none"> <li>File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>File if a contribution of \$1,000 or more in the aggregate is made in connection with a candidate or ballot measure being voted on the June 5 ballot, or made to a political party committee.</li> <li>The recipient of an in-kind contribution must file a Form 497 within 48 hours from the time the in-kind or non-monetary contribution is received.</li> <li>E-file only – no paper copy is required.</li> </ul>
<b>Apr 26, 2018</b> <i>1<sup>st</sup> Pre-Election</i>	<b>1/1/18 – 4/21/18</b>	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file this report.</li> </ul>
<b>May 24, 2018</b> <i>2<sup>nd</sup> Pre-Election</i>	<b>4/22/18 – 5/19/18</b>	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file this report.</li> <li>Paper copies must be filed by personal delivery or guaranteed overnight service only.</li> </ul>
<b>Jul 31, 2018</b> <i>Semi-Annual</i>	<b>5/20/18 – 6/30/18</b>	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file this report.</li> </ul>

**Additional Reports**

Depending on committee activity, one or more of the following reports may also be required:

- **Payments Related to a State Ballot Measure (E-Filers only):** File Form 496 (24-hour Independent Expenditure Report) or Form 497 (24-hour Contribution Report) within 10 business days of making payments totaling \$5,000 or more in connection with a single state ballot measure. No paper copy is required.
- **Form 511:** File within 10 days of making either of the following expenditures related to an advertisement to support or oppose a ballot measure: 1) A payment totaling \$5,000 or more to an individual to appear in an advertisement, or 2) A payment of any amount to an individual portraying a member of a licensed occupation (i.e., nurse, doctor, firefighter). E-Filers also file online.
- **Form E-530:** File within 48 hours of making a payment of \$50,000 or more during the 45 days prior to an election for a communication that identifies a state candidate being voted upon in the election but does not expressly advocate the election or defeat of the candidate. No paper copy is required.

## Fair Political Practices Commission

### Additional Notes:

- **\* Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **E-File:** A state committee that has received contributions or made expenditures totaling \$25,000 or more.
- **Form 460:** All state committees, including e-filers, must also file paper reports.
- **Paper Filings:** All paper filings may be filed by first class mail unless otherwise noted.
- **Forms 496 and 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 elections official at the candidate's county of domicile.
- **Deadline Extensions:** 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 a 24-hour Contribution Report (Form 497) that is due the weekend before the election. Such reports must be filed within 24 hours regardless of the day of the week.
- **Penalties:** Failure to file a statement on time subjects a committee to a fine of \$10 per day on both the paper and the e-filed version (e.g., \$20 per day for a late e-filed Form 460). Failure to file a statement could result in an enforcement penalty of \$5,000 per violation.
- **State Contribution Limits:** Refer to the [contribution limits chart](#) on the FPPC website.
- **Public Documents:** All statements are public documents. Campaign manuals and instructional materials are available at [www.fppc.ca.gov](http://www.fppc.ca.gov). Click on Learn, then Campaign Rules.
- **Multiple Committees:** All committees controlled by a state candidate listed on the June ballot must file statements on the pre-election filing deadlines, in addition to the committee formed for this election. For example, a candidate for Senate listed on the June 5, 2018 ballot who maintains an Assembly officeholder committee must file pre-election reports for both committees even if the Assembly committee has not received or made payments.
- Committees making independent expenditures totaling \$1,000 or more to support or oppose other candidates or ballot measures also file:
  - **Form 462:** This verification form must be e-mailed to the FPPC within 10 days.
  - **Form 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.



## **FPPC ONLINE ELECTRONIC FILING SERVICE**

### ***COUNTY MANDATE FOR ALL***

The Office of the Registrar of Voters launched its online electronic filing system on July 1, 2003 and in doing so, led the way for electronic filing of FPPC campaign statements at the County level. The electronic filing system allows officeholders, candidates and committees to prepare and file their required FPPC campaign statements online anytime at their convenience at no charge.

County Ordinance No. NS-300.857 (rev. 4/23/14) requires that whenever any officeholder, candidate or committee (also referred to as “filer”) is required by the California Political Reform Act to file the original of the following statements or reports with the Registrar of Voters, the filer shall file the statement electronically:

- Semi-annual campaign statement;
- Pre-election campaign statement;
- Amended campaign statement;
- Supplemental pre-election campaign statement;
- Report disclosing contribution received by or made to candidate or local ballot measure of \$1,000 or more, from a single source, during the election cycle;
- Report disclosing independent expenditure made in support of or against candidate or local ballot measure of \$1,000 or more, from a single source, during an election cycle.

Filings of paper copies are not required for statements or reports that are filed electronically with the Registrar of Voters pursuant to this Ordinance.

Electronic filing of campaign statements brings many benefits, one of which is that all electronically filed campaign statements are viewable (with addresses redacted) online, providing easier public access to campaign statements.

Contact the Candidate Services Division at 408-299-8639 for questions about electronic filing requirements and training opportunity.

Step by step tutorial is available online at [www.netfile.com/Filer/](http://www.netfile.com/Filer/)

## **STATEMENT OF ECONOMIC INTERESTS**

With the passage of Senate Bill 512, effective January 1, 2008, all candidates for elective office are required to file a Statement of Economic Interests Form 700 no later than the final filing date of the Declaration of Candidacy, to disclose their investments, their interests in real property, and any income received during the immediately preceding 12 months.

The Registrar of Voters is the filing officer for Statements of Economic Interests in conjunction with **candidacy for specified elective offices only**. Assuming Office statements, Annual statements, and Leaving Office statements are filed with the filing officer of the applicable jurisdiction.

If a candidate is uncertain of his/her filings they should contact their local filing officer or complete a new form marking the candidate statement box, which will satisfy the candidate's requirements for running for office.

Candidates with detailed questions regarding the Statement of Economic Interests Form 700 should contact the Fair Political Practices Commission at 916-322-5660 or 866-ASK-FPPC (275-3772).

## **CODE OF FAIR CAMPAIGN PRACTICES**

(Election Code Sections 20400-20444)

### **Background Information**

In 1982, legislation was passed which established a "Code of Fair Campaign Practices" in California which could be voluntarily subscribed to by candidates for public office. Amendments in 1987 expanded the provisions of the code so as to apply to committees formed primarily to support/oppose a ballot measure, and also reaffirmed civil liability provisions pertaining to libel and slander in campaign advertising and communications.

The text of the provisions of the Code of Fair Campaign Practices is listed on the following pages.

### **Registrar of Voters Requirement**

The Office of the Registrar of Voters is required, at the time an individual is issued his/her Declaration of Candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, to provide the candidate a blank form on which to subscribe to the "Code of Fair Campaign Practices" and a copy of the Elections Code provisions.

### **Voluntary Subscription**

Subscription to the Code is voluntary. Completed forms are to be filed with the Office of the Registrar of Voters and shall be retained for public inspection until 30 days after the election.

# **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. 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. Definitions**

20420. As used in this chapter, "Code" means the Code of Fair Campaign Practices.

### **Article 3. Code of Fair Campaign Practices**

20440. 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. The text of the code shall read, as follows:

20441. 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. 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. Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

20444. In no event shall a candidate for public office be required to subscribe to or endorse the code.

# CODE OF FAIR CAMPAIGN PRACTICES

§ 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 which 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

# **LAWS GOVERNING CAMPAIGN PRACTICES**

## **Political Advertising**

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

Local municipal jurisdictions have each established ordinances regarding political advertising and signs. Refer to the "Outdoor Political Advertising Guidelines" section in this guide for contact information for each of the city clerks in Santa Clara County to obtain further information.

## **Simulation of the Ballot**

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 the person or organization responsible for preparation thereof)."

Violations will result in a court injunction.

§20009

## **Campaign Literature Containing Polling Place of Voter**

No person shall distribute, or cause to be distributed, literature to voters which includes the designation of a voter's polling place other than the precinct polling place listed for that voter in the latest official precinct polling place list prepared within 30 days prior to such distribution. Violations may result in criminal penalties. §18302

Candidates are requested not to distribute or mail campaign literature telling a voter where his/her polling place is located. It is not only confusing to voters, but invariably some polling place changes occur in the last few days before an election. In the past, candidates have mailed or had distributed campaign literature telling voters to go to the wrong polling place. We are sure you can understand the problems this causes for voters and our staff, as well as for the candidate.

## **Mass Mailing/Campaign Literature**

The definition of "Mass Mailing" is two hundred (200) or more identical or nearly identical pieces of mail, but does not include a form letter or other mail which is sent in response to a unsolicited request, letter or other inquiry. Government Code 82041.5

## **Mass Mailing Requirements**

Effective April 6, 2011, all campaign committees, including candidate, ballot measure, general purpose, major donor and independent expenditure committees, must provide the words "**Paid for by**" when the committee sends a mass mailing. This identification must be presented in the same size and color as the committee name - no less than 6 point type and in a color or print that contrasts with the background and is easily legible. The words "**Paid for by**" shall be immediately adjacent to and above or immediately adjacent to and in front of the committee name and address. (FPPC Regulation 18435)

Example:

Paid for by Committee to Elect Doe to City Council 2012, 1234 Main Street, Sacramento, CA 95555

Section 84305 of the Government Code provides as follows:

- (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.
- (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.
- (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).

## **Mass Mailing Prohibitions**

**NO** newsletter or other mass mailing shall be sent at public expense.

Government Code 89001

## **False or Misleading Information to Voters**

No candidate shall submit any nomination paper or declaration of candidacy knowing that any part of it has been made falsely. Violations may result in criminal penalties. (§18203) No candidate shall attempt to mislead the public by pretending or implying by his statements or conduct that he is an incumbent of a public office or that he has acted in the capacity of a public officer when this is not the case. Violations may result in civil penalties. (§18350) In the occupational designation on the ballot, no candidate shall assume a designation which would mislead the voters. (§13107)

## **ELECTIONEERING ON ELECTION DAY**

On Election Day, no person at any time shall be within 100 feet of a polling place, a vote center or an elections official's office and:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his ballot.
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his qualifications except as provided in Section 14240 of the Election Code. No person other than the precinct board or election official may challenge or question any voter regarding his/her qualifications.
- (d) Electioneering, which is currently defined to mean the visible or audible dissemination of information that advocates for or against any candidate or measure on the ballot within 100 feet of a polling place, a vote center, an election official's office or a satellite location.

As used in this section, "100 feet of a polling place or an election official's office" shall mean a distance 100 feet from the entrance to the room or rooms in which voters are signing the roster and casting ballots.

Any person who violates any of the provisions of this section is guilty of a misdemeanor and if intimidation is used, a felony. (§§18370, 18541) Persons who conspire to violate Section 18543 (challenging without probable cause) are guilty of a felony.

Section 18403 of the Elections Code provides that any person other than an elections official or a precinct board member who receives a voted ballot from a voter or who examines or solicits the voter to show his or her voted ballot is punishable by a fine not exceeding ten thousand dollars (\$10,000), by state imprisonment for 16 months or two or three years, by imprisonment in a county jail not exceeding one year, or by both the fine and imprisonment. This section shall not apply to persons returning vote by ballot pursuant to Sections 3017 and 3021 or persons assisting a voter pursuant to Section 14287.

Section 18540 provides that (a) Every person who makes use of or threatens to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

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



Section 18544 provides that (a) Any person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, who is stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate city or county elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years, or in a county jail not exceeding one year, or by both that fine and imprisonment.

(b) This section shall not apply to any of the following: (1) An unarmed uniformed guard or security personnel who is at the polling place to cast his or her vote. (2) A peace officer who is conducting official business in the course of his or her public employment or who is at the polling place to cast his or her vote. (3) A private guard or security personnel hired or arranged for by a city or county elections official. (4) A private guard or security personnel hired or arranged for by the owner or manager of the facility or property in which the polling place is located if the guard or security personnel is not hired or arranged solely for the day on which an election is held.

## **LEGAL EXAMINATION OF CANDIDATE STATEMENTS AND WRITS OF MANDATE**

### **Examination Period for Candidate Statements**

After the filing deadline for candidate statements, the statements may be reviewed by the public for 10-calendar days. During this 10-calendar day examination period any voter of the jurisdiction in which the election is being held may take legal action to challenge the contents of the statement. The filing deadline is March 9, 2018 and the 10-calendar day deadline would be March 19, 2018. The filing deadline for the extension period is March 14, 2018, and the 10-calendar day examination deadline would be March 26, 2018 (original deadline occurs on a weekend; extended to March 26).

We recommend that anyone wishing to pursue a legal challenge to a candidate statement file a petition for a writ of mandate (along with an ex parte application) early in the 10-calendar day examination period. Waiting until the end of the examination period leads to the risk that a judge may deny the request due to the fact that any changes will interfere with the printing and distribution of the sample ballots to voters.

Elections Code Section 13313 states:

- (a) The elections official shall make a copy of the material referred to in Section 13307 available for public examination in the elections official's office for a period of 10-calendar days immediately following the filing deadline for submission of those documents. Any person may obtain a copy of the candidate's statements from the elections official for use outside of the elections official's office. The elections official may charge a fee to any person obtaining a copy of the material, and the fee may not exceed the actual cost incurred by the elections official in providing the copy.
- (b) (1) During the 10-calendar day public examination period provided by this section, any voter of the jurisdiction in which the election is being held, or the elections official, himself or herself, may seek a writ of mandate or an injunction requiring any or all of the material in the candidates statements to be amended or deleted. The writ of mandate or injunction request shall be filed no later than the end of the 10-calendar day public examination period.  
  
(2) A peremptory writ of mandate or an injunction shall issue only upon clear and convincing proof that the material in question is false, misleading, or inconsistent with the requirements of this chapter, and that issuance of the writ or injunction will not substantially interfere with the printing or distribution of official election materials as provided by law.  
  
(3) The elections official shall be named as respondent and the candidate who authored the material in question shall be named as the real party in interest. In the case of the elections official bringing the mandamus or injunctive action pursuant to this subdivision, the board of supervisors of the county shall be named as the respondent and the candidate who authored the material in question shall be named as the real party in interest.

### **Procedure for Writs**

Any person desiring to file an ex parte application for a writ of mandate may wish to consult the California Rules of Court, Rules 3.1200 through 3.1207, in addition to any other relevant rules or statutes, for the proper procedure. The California Rules of Court may be located online at the California Judicial Council's website: <http://www.courtinfo.ca.gov/rules>.

Ex parte applications in Santa Clara County are heard at 8:30 a.m., Monday – Friday, at the Santa Clara County Superior Court located at 191 N. First Street, San Jose.

Legal counsel may also be consulted prior to filing an ex parte application for a writ of mandate.

### **Including Improper Material in Candidate Statements**

Elections Code Section 13307, subdivision (d) provides that:

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 County Voter Information Guide.

Elections Code Section 18351 further provides that:

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

# **OUTDOOR POLITICAL ADVERTISING GUIDELINES**

## **County Political Sign Regulations**

Within unincorporated areas of the county (areas not incorporated into one of the cities within the county), the following County Code sections will apply:

### **4.40.100 Political Signs**

A. *Intent.* It is the intent of this section to encourage participation by the electorate in political activity but to assure that political signs will be located, constructed and removed in a manner to assure the public safety and general welfare.

B. *Permitted subject to regulation.* Notwithstanding any other provision of this chapter, political signs are permitted without an architecture and site approval in any zoning district, subject to all of the following regulations:

1. No political sign shall be located in violation of Division B17, Chapter II, commencing with Section B17-18, of the County Ordinance Code;

2. No political sign shall exceed 16 square feet in surface area in any R1, R1E, RHS, R1S or R2 zoning district unless it is located on a vacant lot, in which case it shall not exceed 32 square feet; and

3. Each political sign shall be removed within ten days following the final election to which such sign relates.

C. *Exception.* This section shall not apply to commercial outdoor advertising structures lawfully located in zoning districts under this ordinance and maintained by persons licensed under California Business and Professions Code Div. 3, Ch. 2.

### **5.80.040 Enforcement**

Pursuant to California Penal Code Section 836.5, the County Zoning Investigators are authorized to enforce the provisions of this ordinance and to issue citations for violations thereof. There shall be no civil liability on the part of, and no cause of action shall arise against, any Zoning Investigator acting pursuant to this section and within the scope of his or her authority.

The Santa Clara County Office of Planning provides enforcement of the County Political Sign Regulations. You may contact the Office of Planning at 408-299-5770.

For more information about county ordinance codes, please visit [www.sccgov.org/sites/bos](http://www.sccgov.org/sites/bos) and select the County Ordinance Code icon in the middle of the page.

## **State Political Sign Regulations**

The California Department of Transportation has specific guidelines and responsibilities pertaining to political signs placed within their areas of jurisdiction. This information will be issued to candidates when they pick up nomination papers.

## **City Political Sign Regulations**

The placement of signs within the city limits is regulated by each respective city. Listed below is the contact information for each city/town clerk's office within Santa Clara County. Please contact the appropriate city office(s) if you have any questions.

### **CAMPBELL**

Wendy Wood  
70 N. First St.  
Campbell, CA 95008  
408-866-2116

### **LOS GATOS**

Shelley Neis  
110 E. Main St.  
Los Gatos, CA 95030  
408-354-6888

### **PALO ALTO**

Beth Minor  
250 Hamilton Ave.  
Palo Alto, CA 94301  
650-329-2571

### **CUPERTINO**

Grace Schmidt  
10300 Torre Ave.  
Cupertino, CA 95014  
408-777-3223

### **MILPITAS**

Mary Lavelle  
455 E. Calaveras Blvd.  
Milpitas, CA 95035  
408-586-3000

### **SAN JOSE**

Toni Taber  
200 E. Santa Clara St.  
San Jose, CA 95113  
408-535-1260

### **GILROY**

Shawna Freels  
7351 Rosanna St.  
Gilroy, CA 95020  
408-846-0400

### **MONTE SERENO**

Andrea Chelemengos  
18041 Saratoga/Los Gatos Rd.  
Monte Sereno, CA 95030  
408-354-7635

### **SANTA CLARA**

Rod Diridon, Jr.  
1500 Warburton Ave.  
Santa Clara, CA 95050  
408-615-2220

### **LOS ALTOS**

Jon Maginot  
1 N. San Antonio Rd.  
Los Altos, CA 94022  
650-947-2720

### **MORGAN HILL**

Irma Torrez  
17575 Peak Ave.  
Morgan Hill, CA 95037  
408-779-7259

### **SARATOGA**

Nora Pimentel  
13777 Fruitvale Ave.  
Saratoga, CA 95070  
408-868-1269

### **LOS ALTOS HILLS**

Deborah Padovan  
26379 Fremont Rd.  
Los Altos Hills, CA 94022  
650-941-7222

### **MOUNTAIN VIEW**

Lorrie Brewer  
500 Castro St.  
Mountain View, CA 94041  
650-903-6304

### **SUNNYVALE**

Kathleen Franco Simmons  
456 W. Olive Avenue  
Sunnyvale, CA 94088  
408-730-7483

## **VOTER INFORMATION/ELECTION DATA/MAPS**

*Per confidentiality laws of 1995, voter information is confidential; however, there are specific permissible exceptions to the law.* The California Administrative Code, Title 2, Division 7, Article 1, Section 19003, specifies permissible uses for any data obtained from voter registration files. Permissible usage includes direct election campaigning, surveys in conjunction with an election campaign, and distribution of information of a political nature. Data obtained from voter registration or election files may not be sold, leased, loaned, reproduced, or possession thereof relinquished without receiving written authorization to do so from the Secretary of State or the Office of the Registrar of Voters. Prohibited usage includes commercial purposes and solicitations of contributions or services for any purpose other than on behalf of a candidate or political party, or in support of or opposition to a ballot measure.

### **Public Viewing Terminals**

The voter registration database may be viewed from a public terminal in the lobby area of the Office of the Registrar of Voters. The public viewing terminal is available during normal business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. The public terminal screen does not reveal confidential voter registration information. Confidential information includes such items as: residential street address, telephone number, precinct number, date of birth, occupation, driver's license number and the last four digits of a social security number.

### **Confidential Viewing Terminals**

Viewing of the confidential voter registration database is only available in the Office of the Registrar of Voters. To view the confidential voter registration database, a person will be required to provide identification and complete an Application for Voter Information. The confidential viewing terminal is available Monday through Friday, 8:00 a.m. to 4:45 p.m.

### **Purchasing Voter Information**

Voter information is available for purchase from the Office of the Registrar of Voters. Voter information may be purchased only through our office at 1555 Berger Drive, Bldg. 2, San Jose. When purchasing voter information, you will be asked to complete an Application for Voter Information, show a valid photo ID and explain in detail for what purposes the voter information will be used. All orders for voter information must be paid for in advance. Orders are processed in the order they are received. Generally, there is a 3-5 business day turnaround.

Vote by Mail voter information requests require a 24 hour advance notice and subsequent updates will be available on Monday, Wednesday, and Friday after 10:00 a.m. For more information, please contact the Vote by Mail Division at 408-299-8640.

### **Purchasing Maps**

Maps are available for purchase from the Office of the Registrar of Voters. Maps may be purchased at our office at 1553 Berger Drive, Bldg. 1, San Jose. Contact Bob Nguyen, Mapping Division Coordinator, at 408-282-3037 for more information on ordering maps.

## VOTE BY MAIL

All registered voters may apply and vote by mail.

Any person, including candidates and members of campaign organizations, can distribute applications for Vote by Mail ballots as long as the application meets the requirements of California Elections Code Section 3007 as to its contents. The name of any organization, which authorizes the distribution of Vote by Mail applications, shall be included on the application.

Upon request a Vote by Mail application form will be provided. The application form contains all information required by law.

Any individual, organization or group which distributes applications for Vote by Mail ballots and receives completed application forms back from voters, shall deliver the forms to the appropriate elections official within 72 hours of receiving the completed forms. Elections Code Section 18576 makes it a misdemeanor to delay the proper return of a Vote by Mail application.

<b>Important Vote by Mail Dates*</b> <b>Gubernatorial Primary Election – June 5, 2018</b>	
<b>April 26</b>	Vote by Mail application form is available for reproduction and distribution.
<b>May 7</b>	First day for campaigns to purchase election specific Vote by Mail information.
<b>May 7</b>	First day Vote by Mail ballots can be issued.
<b>May 7 – June 4</b> Mon. – Fri., 8 a.m. – 5 p.m.  <b>May 26 – May 27</b> Sat. – Sun 9 a.m. – 3 p.m.  <b>June 2 – June 3</b> Sat. – Sun 9 a.m. – 3 p.m.  <b>June 5</b> Election Day, 7 a.m. – 8 p.m.	Dates and times for voting in the Office of the Registrar of Voters.
<b>May 29</b>	<b>DEADLINE FOR ROV OFFICE TO RECEIVE VOTE BY MAIL APPLICATIONS</b>  If the Vote by Mail ballot is to be <u>mailed</u> to the voter, the application must be received by 5:00 p.m. in the Office of the Registrar of Voters.
<b>June 5</b> Election Day	All voted ballots must be returned by 8:00 p.m. on election day or postmarked on or before election day and received by June 8, 2018.

\*All dates are for 2018.

## **ELECTION DAY & CANVASS OF RESULTS**

### **Election Day Information**

Election Officers assist the Office of the Registrar of Voters in conducting the election on Election Day. The polls officially open at 7:00 a.m. and close at 8:00 p.m. on Election Day. Any voter waiting in line to vote at 8:00 p.m. will be allowed to vote. An Election Officer's day begins at 6:00 a.m. and does not conclude until approximately 10:00 p.m.

### **Election Night Tabulation**

Under the direction of the Office of the Registrar of Voters, the optical scan ballots and Direct Record Electronic (DRE) voting results cartridges are processed and tallied by staff and paid volunteers at 1555 Berger Drive, Bldg. 2, San Jose. Beginning at approximately 8:05 p.m., results are available on our website at [www.sccvote.org](http://www.sccvote.org). The first results reported are Vote by Mail ballots. Updates will occur approximately every 45 minutes. Voting precinct ballots are normally in updates after 10 p.m. If this target time cannot be met, the Registrar of Voters Website banner will be updated with information as to our current situation and predicted update time.

Beginning at 8:00 p.m., candidates, media representatives, and the public may view and monitor election results in Media Room 181. Room 181 is located directly across from the Auditorium. For more information about viewing election results, please contact Philip Chantri, Election Division Coordinator, at 408-282-3008.

Anyone is also welcome to view the vote tabulation process. If you are interested in viewing this process, please contact Nancy Price, Confidential Executive Assistant II, at 408-282-3005 and we will be happy to make the necessary arrangements so you can be escorted to the Public Viewing Area.

Thousands of voted Vote by Mail ballots are turned in at the polling places on Election Day. Those ballots must be signature checked before they can be prepared for tabulation. As a result, up to 20% of the total number of voted Vote by Mail ballots are not counted and reported in the election results until a few days later. In addition, provisional ballots are voted at the polling places on Election Day. The registration and voting status of each of these provisional voters must be individually researched for eligibility before ballots can be counted. Researching and qualifying the provisional ballots is a very time-consuming process. As a result, provisional ballots are counted and reported in the election results once the processing is completed.

Sometimes candidates in very close races request the Office of the Registrar of Voters to immediately count the outstanding Vote by Mail and provisional ballots for the specific election precincts constituting the jurisdiction of the office for which they are running. The Office of the Registrar of Voters cannot accommodate this request because the process is too disruptive to the overall tabulation process and too prone to human error, i.e. the omission of some of the outstanding precinct ballots.



## **Election Results**

As stated above, semi-official election results are also available anytime after 8:05 p.m. on Election Night on our website at [www.sccvote.org](http://www.sccvote.org). Election results will be available by telephone to anyone wishing to monitor the returns. You may call 408-299-8639 to obtain election results.

## **Official Canvass of the Returns**

The Office of the Registrar of Voters conducts an official canvass of the vote by mail and polling place election returns. This process involves the reconciliation of ballots issued, voter signatures, voted ballots and reported vote totals for each Vote by Mail and voting precinct. In addition, our office performs a 100% recount of all DRE machines, and 1% manual recount. When completed, a certified statement of the election results is submitted to the Board of Supervisors, each participating jurisdiction and the Secretary of State's office. Pursuant to law, the Office of the Registrar of Voters has until July 5, 2018 to complete the canvass and certify the results. Anyone may view or purchase copies of the final results in the Office of the Registrar of Voters.

## **HELPFUL CONNECTIONS**

Provided below is a quick reference of telephone numbers and Internet addresses to assist you with questions you may have during your campaign.

### **Secretary of State**

**[www.sos.ca.gov](http://www.sos.ca.gov)**

Elections Division  
916-657-2166  
Information & Election Fraud Hot-Line  
800-345-VOTE (8683)

Political Reform Division  
916-653-6224

### **Registrar of Voters, Santa Clara County**

**[www.sccvote.org](http://www.sccvote.org)**

Main 408-299-VOTE (8683)  
866-430-VOTE (8683)  
Candidate Services  
408-299-8639  
Voter Services  
408-299-8683

Vote by Mail  
408-299-8640  
Election Officers  
408-299-POLL (7655)

### **Fair Political Practices Commission**

**[www.fppc.ca.gov](http://www.fppc.ca.gov)**

Technical Assistance Division  
916-322-5660 or  
866-ASK-FPPC (275-3772)  
Enforcement Division  
916-322-5660

### **Federal Election Commission**

800-424-9530

**[www.fec.gov](http://www.fec.gov)**

### **NetFile**

**[filerhelp@netfile.com](mailto:filerhelp@netfile.com)**

### **California Legislative Information**

**<http://leginfo.legislature.ca.gov/>**

Text of California Codes

### **League of Women Voters/Smart Voter**

**[www.votersedge.org/ca](http://www.votersedge.org/ca)**

Find your representatives  
Information on measures & candidates

### **Population Statistics & Historical Data**

**[www.sceplanning.org](http://www.sceplanning.org)**

Links to State Dept. of Finance and  
ABAG. These departments make  
population projections every 2 years.

# County of Santa Clara

## Registrar of Voters

1555 Berger Drive, Bldg. 2  
San Jose, CA 95112  
Mailing Address: P.O. Box 611360, San Jose, CA 95161-1360  
(408) 299-VOTE (8683) 866-430-VOTE (8683) FAX: (408) 998-7314  
www.sccvote.org



Dear Candidate:

Now that you have filed as a candidate, I want to encourage you to participate in Voter's Edge California, a non-partisan project of the League of Women Voters of California Education Fund. Voter's Edge California offers free webpages for candidates in addition to providing voters with information on all measures on their ballot along with general election information.

The Registrar's office is an active Voter's Edge California partner and urges you to take advantage of this valuable opportunity to get your message out to your voting audience. By participating with Voter's Edge California, you populate your profile with in-depth information like priorities, a biography, achievements, endorsements, a political vision, and goals. And highlight your candidacy with a photo, videos, and links to social media. Informed citizens are more likely to vote.

The Voter's Edge California project provides an opportunity for you to let voters know who you are and where you stand on the issues. This non-partisan project was developed by the League to utilize Internet technology to inform voters about candidates and issues, and to provide an easy personal ballot lookup. Participation is free and open to all candidates. Voters can then see information about your race at [votersedge.org](http://votersedge.org), using their personal computers, smartphones, or any other source of access to the Internet.

Sometime after the close of the nomination filing period, you will receive an email message from your local League of Women Voters in Santa Clara County providing information and instructions on how to get started. If you do not receive an invitation from your local League within three weeks after the close of filing, feel free to send an inquiry to [join.votersedge.org](http://join.votersedge.org).

I encourage you to participate in the Voter's Edge California project.

Sincerely,

A handwritten signature in cursive script that reads "Shannon Bushey".

Shannon Bushey  
Registrar of Voters



# ELECTION OFFICERS NEEDED!

The Santa Clara County Registrar of Voters needs help at the polls for the Gubernatorial Primary Election on June 5, 2018. This is a great way to be a part of the democratic process, serve your community, and make money for yourself or your favorite organization. Experience not necessary! Paid training is provided.

There is also a critical need for Election Officers who are bilingual in English and Chinese, Hindi, Japanese, Khmer, Korean, Spanish, Tagalog or Vietnamese. Volunteers receive \$115-\$200 paid stipends and Bilingual Election Officers are paid an additional \$10.00.

You must be 18 years or older, a U.S. citizen and a registered voter of the State of California; or a legal permanent resident; or a high school student, 16 years or older, on or before Election Day, with at least a 2.5 GPA and approval from your parents and your school administration.

If you are interested, call:

English: 408-299-POLL (7655)  
Spanish: 408-282-3095  
Vietnamese: 408-282-3097  
Chinese: 408-282-3086  
Tagalog: 408-282-3089  
Hindi, Japanese, Khmer & Korean: 408-299-POLL (7655)

Or visit our website

[www.sccvote.org](http://www.sccvote.org)

## **FREQUENTLY ASKED QUESTIONS**

**What happens if some of the signatures I obtain on my petitions-in-lieu or nomination papers are not registered voters or do not live within the jurisdiction I seek to represent?**

The Registrar of Voters must certify that the signatures on petitions-in-lieu or nomination papers are of registered voters residing within the jurisdiction. Any signatures submitted of voters who are not registered to vote or who do not reside within the jurisdiction will be marked invalid and will not count towards your signature requirements.

**Is there a way to check the validity of signatures I collect on my petitions?**

Yes, a candidate qualifies to view confidential voter information at the Office of the Registrar of Voters. You can view the voter database and verify if a signer on your petition is registered to vote and at what address. The confidential terminal is available for usage during normal office hours on a first come, first served basis.

**Can I use the valid signatures-in-lieu that I collect towards my number of required nomination signatures?**

Yes, a candidate can request that valid signatures-in-lieu be used towards the required number of nomination signatures.

**For Voter-Nominated offices, do petition-in-lieu signers or nomination petition signers need to be registered with the same political party I am registered with?**

No, signers on any type of petition for a Voter-Nominated office do not have to be registered in the same party as the candidate. Any registered voter of any party may sign a petition for a candidate for a Voter-Nominated office.

**I am a candidate for Judge of the Superior Court, must I file a Declaration of Intention and when is the filing period?**

Yes, every candidate for Judge of the Superior Court, including the incumbent, must file a Declaration of Intention. The Declaration of Intention filing period is January 29 – February 7, 2018. For any seat in which the incumbent does not file for by February 7, 2018, there will be a five calendar day extension period for anyone but the incumbent to file.

**When and where can I pick up and file my nomination documents?**

The candidate filing period is February 12, 2018 – March 9, 2018. Nomination documents may be picked up at the Office of the Registrar of Voters. Nomination documents may only be filed at the office of the Registrar of Voters.

**When is the candidate nomination extension period and can an incumbent file nomination documents during an extension period?**

The candidate nomination extension period is March 10, 2018 – March 14, 2018. An incumbent cannot file nomination documents during the extension period as it is only for any other candidate to pick up or file their nomination documents.

**May I change or correct the wording or spelling on my candidate statement after submission?**

No, you may not. Statements cannot be changed for any reason after they have been filed.

**If I submit 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. If you withdraw your candidate statement, you will not be allowed to file another one.

**Can I choose what languages my candidate statement will be printed in?**

No. All Candidate Statements are printed in five federally-mandated languages: English, Chinese, Spanish, Tagalog and Vietnamese.

**May my spouse, relative, friend or campaign manager pick up and/or file nomination documents for me or can I mail them to you?**

Yes, all forms may be picked up or filed by a candidate or a representative of the candidate. However, if someone other than the candidate is picking up nomination papers, they must have specific written authorization to do so. Candidates are urged to file in person for the following reasons:

- A. The oath of office on the Declaration of Candidacy must be administered by a member of the Registrar of Voters staff, an authorized public official, or a notary public. It is much easier for a candidate to file the nomination papers in person and have the oath administered at the time he or she files; and
- B. The signature of the candidate, as well as other data, is required on many documents involved in the nomination process. If through an oversight the nomination papers are incomplete, the problem can easily be rectified when a candidate files in person.

If the candidate wishes to mail the nomination papers, they must be sent by certified mail and arrive in our office by the close of the nomination period, regardless of the postmark.

**Am I required to file financial documents related to my campaign?**

Yes, every candidate must file some type of financial documents at specified deadlines. Refer to the “Campaign Finance Disclosure Information” section of this guide for more information.

**I am unable to complete and file any of my FPPC campaign disclosure statements by the filing deadline. May I obtain an extension and will I be fined?**

No. There is no provision in the Political Reform Act that permits any filing officer to extend a filing deadline. Statements that are filed late may be subject to a fine of \$10.00 per day until the statement is filed. You may be fined for filing your statements late.

**Can I place campaign signs anywhere I want?**

No. There are city, county and state regulations governing the placement of campaign signs. Please refer to the “Outdoor Political Advertising Guidelines” section of this guide.

**How soon will a list of qualified candidates be available after the close of nomination?**

The nomination period ends at 5:00 p.m. on March 9, 2018, but if an incumbent does not file, the nomination period is extended until March 14, 2018. A list of local candidates will be prepared in the following days, and should be available for distribution by noon on March 19, 2018.

The certified list of State candidates is not available to us until March 29, 2018. Therefore, our State candidate list should be available for distribution on April 2, 2018.

You may come into the office and view the candidate lists at no charge or purchase a copy of it.

**Can I come into the Office of the Registrar of Voters on election night and view the tabulation of the votes?**

Yes. You can come to the Office of the Registrar of Voters on election night and observe the vote tabulation process. All election night visitors must be escorted in our office so please call ahead of time to inform us that you will be coming to our office. Calling ahead helps us to plan our staffing needs.

**Can I obtain election night results on the Internet?**

Yes. You may obtain the most up-to-date election night results on our website at [www.sccvote.org](http://www.sccvote.org).

**Why is there so much paperwork involved in being a candidate?**

Election law specifies documents required, as well as format, filing dates, etc. The filing requirements are not discretionary.

# REGISTRAR OF VOTERS CONTACT INFORMATION

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ATTENTION: Information provided by the Registrar of Voters' office in response to inquiries made by candidates is general in nature and is informational only. It is not to be used as a substitute for legal advice. Candidates are responsible for consulting their own legal counsel and verifying all information as it relates to their individual situation.