



Candidate Handbook & Resource Guide



Consolidated UDEL Election
November 5, 2013

Barbara J. Levey
Registrar of Voters

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NOTICE

This Candidate Handbook & Resource Guide is provided for general information to assist you in your candidacy. It includes a calendar of events and summary of provisions and filing requirements. It is not intended to provide legal advice and should not be substituted for legal counsel.

Please note that it is not within the purview of this office to determine whether a candidate meets the requirements for holding office. Individuals with questions concerning their own or other candidate's qualifications, or other related matters should seek legal counsel to assist in complying with the applicable California laws pertaining to candidacy.

Candidates and others using this Handbook & Resource Guide must bear full responsibility to make their own determinations as to all legal standards.

CODE REFERENCES made in this guide, unless otherwise stated, are to the California Constitution and Statutes. California legal codes referenced in this guide include:

- Business and Professions Code (B&P)
- Education Code (ED)
- Elections Code (EC)
- Government Code (GC)
- Health and Safety Code (H&S)
- Insurance Code (IC)
- Penal Code (PC)
- Revenue and Taxation Code (R&T)

The term E-Dates stands for Election Day. E-Dates have been used throughout this guide to indicate important dates and deadlines. These dates are the number of days prior to or after the election date. Example: E-88 means E minus 88 days and would be 88 days prior to an election. E+28 means E plus 28 days and would be 28 days after an election.

Refer to the election calendar for guidance as to what actual date the indicated E-Dates falls on.

CONTACT INFORMATION FOR CANDIDATES AND COMMITTEES

FILING OFFICER FOR DISCLOSURES:

MERCED COUNTY
REGISTRAR OF VOTERS
2222 M ST, ROOM 14
MERCED, CA 95340
209-385-7541
209-385-7387-FAX
www.mercedelections.org

-for ALL District Candidates (except cities)

FILING OFFICER FOR DISCLOSURES FOR **CITY CANDIDATES**:

CITY OF MERCED
678 W 18th STREET
MERCED, CA 95340
209-388-7100
209-388-7101-FAX
www.cityofmerced.org

-for City of Merced Candidates

OTHER RESOURCES:

SECRETARY OF STATE
1500 11th ST, 5th FLOOR
SACRAMENTO, CA 95814
916-657-2166
916-653-3214-FAX
916-651-6460 CANDIDATES & ELECTIONS FAX
www.sos.ca.gov

FAIR POLITICAL PRACTICES COMMISSION
428 J ST, SUITE 620
SACRAMENTO, CA 95814
866-275-3772
916-322-6440-FAX
www.fppc.ca.gov

LINK TO CALIFORNIA CODES [http:// www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html)

QUALIFICATIONS FOR ELECTED OFFICIALS

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

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

COUNTY BOARD OF EDUCATION GOVERNING MEMBERS: Any registered voter is eligible to be a member of the county board of education except the county superintendent of schools, any member of his staff, or any employee of a school district. Each member of the board shall be an elector of the trustee area which he represents and shall be elected by the electors of the trustee area. [ED §§1000. 1006](#)

SPECIAL DISTRICT BOARD MEMBER: A candidate must be a resident and qualified elector of the district. For additional requirements consult the specific code or enabling legislation that regulates the district. California Codes can be accessed at www.leginfo.ca.gov/calaw.html.

CITY OFFICES: "A person is not eligible to hold office as councilmember, mayor, city clerk or city treasurer unless he or she is at the time of assuming the office an elector of the city and was a registered voter of the city at the time nomination papers are issued to the candidate as proved for in Section 10227 of the Election Code." [GC §36502 \(a\)](#)

HOLDING TWO OFFICES – ALL OFFICES

See Government Code Section 1099 which contains the provisions prohibiting the holding of incompatible, multiple offices.

NOMINATION DOCUMENTS & FILING PROCEDURES

WHEN AND WHERE FORMS ARE AVAILABLE

“Any qualified voter in the city or district may sign as many nomination papers as there are positions to be elected. Candidates shall file their nomination papers with the county elections official of the county, not more than 113 nor less than 88 days before the day of election.”

All forms required for nomination and election to all congressional, state, and county offices, shall be furnished by the county elections official.

The forms shall be distributed to all candidates applying for them. 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.

[EC § 8020, 8041, 8069 and 8101](#)

Notwithstanding Elections Code § 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 88th day before the election, any person other than the person who was the incumbent on the 88th day shall have until 5 p.m. on the 83rd day before the election to file nomination documents for the elective office.

Filing Fees and Signatures-In-Lieu of Filing Fees [EC §8104 \(b\)](#) A filing fee of one percent of the annual salary of the office shall be paid to the elections official by each candidate for a judicial office or a county office. The filing fee shall be calculated on the basis of the annual salary for the office on the first day to circulate petitions to gather signatures in lieu of filing fees.

[EC §8105 \(a\)](#) The filing fees for all candidates shall be paid at the time the candidates obtain their nomination forms from the county elections official. The elections official shall not accept any papers unless the fees are paid at the time, or unless satisfactory evidence is given that the fee has been paid in another county. The elections official transmits the fees to the Secretary of State along with the declarations of candidacy for filing. All filing fees received by the Secretary of State and county elections officials are nonrefundable. (b) The filing fees for candidates required to file declarations of intention pursuant to [EC § 8023](#) shall be paid at the time the declarations are filed with the county elections official.

[EC §8106. \(a\)](#) Notwithstanding any other provision of this article, a candidate may submit a petition containing signatures of registered voters in lieu of a filing fee as follows:

1. For the office of California State Assembly, 1,500 signatures.
2. For the office of California State Senate and the United States House of Representatives, 3,000 signatures.
3. For candidates running for statewide office, 10,000 signatures.
4. For all other offices for which a filing fee is required, if the number of registered voters in the district in which he or she seeks nomination is 2,000 or more, a candidate may submit a petition containing four signatures of registered voters for each dollar of the filing fee, or 10 percent of the total of registered voters in the district in which he or she seeks nomination, whichever is less.

Note: Signatures-In-Lieu of filing fees may be used as nomination signatures. Nomination signatures may not be used as Signatures-in-Lieu signatures.

BALLOT DESIGNATION GUIDELINES

EC §13107

SELECTING YOUR BALLOT DESIGNATION -The ballot designation describes the current profession, vocation, occupation or incumbency status of the candidate that will appear on the ballot under the candidate's name.

Ballot designations:

- 1) The listing of a designation on the ballot is OPTIONAL
- 2) Becomes public record once the information is filed on the Declaration of Candidacy.
- 3) Ballot designations **cannot** be changed after the final date to file nomination documents. [EC §13107 \(d\)](#)

Only one of the following categories is allowed:

a) **Elective Office Title:** Words describing an elective office title may be used **IF** the candidate holds the office at the time nomination documents are filed and the office was filled by a vote of the people.

Example A: Governing Board Member

Example B: Board member, XYZ School District

b) **Incumbent:** The word **Incumbent** may be used **IF** the candidate is seeking re-election to the same office and was elected to that office by a vote of the people or was appointed as a nominated candidate in lieu of an election.

c) **Appointed Incumbent:** The words **Appointed Incumbent** must be used **IF** the candidate was appointed to the office and is seeking election to that office. The word Appointed may also be used with the office title.

Example A: Appointed Incumbent

Example B: Appointed Board member, XYZ School District

Exception: Candidates appointed to office in lieu of an election **do not** have to use the word appointed.

4) **Principal Occupation:** No more than **three words** to either describe the current principal profession, vocation, or occupation of the candidate **or** the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents.
E.C. 13107 (3)

Example A: High School Teacher

Example B: Attorney/Educator/Rancher

Example C: CEO/Councilmember

5) **Community Volunteer:** A Community Volunteer shall constitute a valid principal vocation or occupation subject to the following conditions:

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

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

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

6) **No Occupation Desired:** If no ballot designation is requested, write the word "NONE" and place your initials in the space provided for ballot designation on the Declaration of Candidacy form. The space provided for your ballot designation on the official ballot, will be blank.

FORMAT OF BALLOT DESIGNATION – Ballot designations selected which exceed space allotted on the ballot (approximately 60 characters) are printed in a smaller typeface pursuant to [EC § 13107\(f\)](#)

Restrictions: The rules governing ballot designations can be the subject of confusion. The California Secretary of State’s ballot designation regulations are available upon request.

BALLOT DESIGNATION WORKSHEET – A Ballot Designation Worksheet that supports the use of that ballot designation **is required to be filed** with the Election Official at the same time as the Declaration of Candidacy. If a candidate fails to file a Ballot Designation Worksheet, no designation will appear on the ballot. [EC§ 13107.3](#)

REJECTION OF BALLOT DESIGNATION – If the designation is in violation of any of the restrictions set forth in California Elections Code, the candidate will be notified by phone or by registered or certified mail with a return receipt addressed to mailing address appearing on the candidates ballot designation worksheet. If an alternative designation is not provided within the time allowed, no designation will appear on the ballot. E.C.13107(c)

UNACCEPTABLE DESIGNATIONS - Pursuant to [EC §13107\(b\)](#), the elections official shall not accept a ballot designation if:

- a. It would mislead the voter.
- b. It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
- c. It abbreviates the word “retired” or places it following any word(s) that it modifies.

Unacceptable:

Ret. Policeman
Policeman, Retired

It uses a word or prefix, such as “former” or “ex-,” which means a prior status.

Unacceptable:

Former Policeman
Ex Policeman

The only exception is the use of the word “retired.”

Acceptable:

Retired Policeman

- d. It includes the name of any political party, whether or not it has qualified for the ballot.
- e. It uses a word(s) referring to a racial, religious or ethnic group.
- f. It refers to any activity that is prohibited by law.

FALSE OR MISLEADING INFORMATION TO VOTERS

No candidate shall, in his occupational designation on the ballot, assume a designation that would mislead the voters. [EC § 13107](#)

Every candidate is guilty of a misdemeanor who pretends or implies that he/she is an incumbent of a public office or that he/she has acted in the capacity of a public officer when this is not the case. [EC § 18350](#)

Any candidate who knowingly makes a false statement of material fact in a candidate’s statement, with the intent to mislead the voters, is punishable by a fine not to exceed \$1,000. [EC § 18351](#)

Every simulated ballot shall bear a printed notice (see [EC § 20009](#) for details) stating that this is not an official ballot but rather an unofficial marked ballot prepared by (name and address of person or organization responsible); no official seal or insignia may appear on the envelope in which it is contained.

Every person is guilty of a misdemeanor who distributes, or causes to be distributed, literature to voters that includes a designation of a voter's polling place other than the precinct-polling place listed for the voter in the latest official precinct-polling list at sometime not more than 30 days prior to such distribution.

[EC § 18302](#)

GUIDELINES FOR ACCEPTABLE BALLOT DESIGNATIONS (BASIC TEST):

- a. Is it true?
- b. Is it accurate?
- c. Does it mislead?
- d. Is it generic? (This means "IBM" is unacceptable, "Computer Company" is acceptable.)
- e. Is it neutral? (This means not for or against)
- f. Is it how this person makes a living?

Candidates may review their own ballot designation, as well as that of other candidates, in this office during working hours. **(Excluding Saturdays, Sundays and Holidays)** If you have any questions regarding the nomination procedures, please call the Election Division at (209) 385-7541.

INSUFFICIENT NUMBER OF CANDIDATES FOR OFFICE

SCHOOL DISTRICTS

If the number of candidates is less than the number of offices to be filled within a particular school district, an election will not be held and the qualified person (or persons) shall be seated at the organizational meeting of the board.

The governing board shall publish a notice once in a newspaper having general circulation in the district, stating that the board intends to make an appointment informing persons of the procedure available for applying for office.

If no person has been nominated, or an insufficient number is nominated, the governing board shall appoint any qualified person (or persons) at a meeting held prior to the day fixed for the election. Such appointee's shall be seated at the organizational meeting of the board as if elected.

Persons appointed after the election by the governing body shall serve until the next district election (short term).

UDEL DISTRICTS

If the number of candidates is less than the number of offices to be filled within a particular district, an election will not be held and the County Clerk shall request the Board of Supervisors to appoint the candidates who have been nominated. If no person has been nominated, the supervising authority shall appoint any qualified person. Appointees shall qualify and take office and serve exactly as if elected at a General District Election.

CITIES

If, by 5:00 p.m. on the 88th day prior to the day fixed for a regular scheduled municipal election or the 83rd day if an incumbent fails to file and no one or only one person has been nominated for any office which is elected on a citywide basis and the number of persons nominated for those offices does not exceed the number to be filled, the city election official shall submit a certificate of these facts to the governing body of the city that it may, at a regular or special meeting held before the municipal election, adopt one of the following courses of action.

- (1) Appoint to the office the person who has been nominated
- (2) Appoint to the office any eligible elector if no none has been nominated
- (3) Hold the election. The election official shall publish a notice of the fact described in this section.

The above shall not apply if at the regularly scheduled municipal election, more than one person has been nominated to another city office to be elected on a citywide basis or, a city measure has qualified and is to be submitted to the voters at that municipal election.

Fair Campaign Practices

Government Code, Title 9 - Political Reform

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 defined in [GC § 82031](#), 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, as shown on the Code of Fair Campaign Practices) of the Government Code, an initial campaign statement on behalf of the committee.

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.

CANDIDATE STATEMENT OF QUALIFICATIONS GUIDELINES FOR BOTH VOTER NOMINATED & NON PARTISAN OFFICES

EC §§ 9, 13307, 13308, 13312, 18351

The candidate's statement is a **voluntary statement** for candidates seeking Voter Nominated and local Non Partisan elective offices when applicable.

The Board of Supervisors determines the word limit and who will bear the prorated share of the cost of printing and handling of the candidate's statement for county offices.

1. CONTENTS

The statement may contain the name, age and occupation of the candidate and a description of the candidate's education, personal background and qualifications.

The name, age and occupation at the top of the candidate statement form are not included in the word count.

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

2. FORMAT AND WORD COUNT

In order to insure uniformity of candidates' statements, the candidate must prepare the statement as follows:

- a. Submit a typed or word processed copy only, of no more than 200 words. Hand written statements are not acceptable.
- b. The statement may include the name, age, and occupation of the candidate and a brief description, of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.
- c. In addition to the restrictions set forth above, any candidate's statement submitted pursuant to [EC § 13307](#) shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities. The elections official shall not cause to be printed or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited by this section.
- d. Submit statement in **paragraph block** form. The statement will be set with **both left and right justified margins**. Multiple single sentence paragraphs that do not fit in the space will be wrapped. Indented text will be run together as a sentence.
- e. Statements shall be written in the first person (e.g. "I am running..." not "She is running..." or "Jane Doe is running...")
- f. Only standard use of capital letters will be accepted. No statement will be printed in "ALL CAPS".
- g. All regularly hyphenated words that appear in any generally available dictionary published within 10 years preceding the election will be counted as one word.
- h. Check the statement for errors in spelling, punctuation, and grammar. No corrections **on the candidate statement** will be allowed after the candidate has filed his nomination documents. [EC § 13307 \(3\)](#)
- i. Statements will be printed in the random alphabet order used for placement of candidates' names on the official ballot. Statements are not rotated.

3. EMAIL CANDIDATE STATEMENT

- a. The Merced County Election Department will accept candidate statements by email at Elections@co.merced.ca.us
- b. The candidate statement will be prepared for the voter pamphlet upon confirmation that the candidate statement has been paid & filed, based upon the provisions established for the applicable contest.
- c. Absolutely no corrections or changes are allowed after the candidate statement has been officially filled. [EC §13307 \(3\)](#)

4. PROVISION

In the case where a candidate submits a statement that is not in conformance with guidelines provided, such statement will be reformatted and set in uniform type by the elections official.

5. 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 Voter Information Pamphlet.

6. CONFIDENTIALITY

The candidates' statements shall remain confidential until after the close of the filing period for the office sought. [EC § 13311](#)

7. WITHDRAWAL

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

8. EXAMINATION PERIOD

After the deadline for filing nomination papers, anyone may examine any candidate's statement and may purchase copies thereof.

During a 10-calendar day period commencing the day after the close of nomination, any voter of the jurisdiction in which the election is being held may seek a writ of mandate or an injunction requiring any or all of the material in a candidate's statement to be amended or deleted.

9. ESTIMATED COST

The estimates quoted are based on one statement per candidate in English and Spanish. Candidates are required to prepay the estimated cost and will either be billed for the additional cost or refunded any overpayment following the election.

Actual costs may vary substantially, depending on the number of voters in a particular contest.

10. FILING INFORMATION

If the candidate emails their candidate's statements, it **MUST** be emailed to the Elections Department **PRIOR** to filing nomination/declaration of candidacy.

**WORD COUNT STANDARD
FOR CANDIDATE STATEMENT AND MEASURE ARGUMENTS
(EC § 9)**

The following are the guidelines for computing the word count for measures and candidate statements.

Dictionary words	one word
Words like: “a”, “the”, “and”, “an”	one word
Abbreviations – UCMERCED , PTA	one word
Abbreviations - U.C.M., P.T.A.	one word
<p>California Geographical names: For purposes of determining whether a geographical name should be counted as one word under Elections Code section 9, a “geographical name” is the name of a governmental entity that consists of fixed boundaries, is vested with its own governmental functions and powers by the Legislature, and is governed by an elected or appointed board.</p> <p>Examples:</p> <p>County of Merced, Merced Community College District, Merced Unified School District, Bay Regional Park District, Bay Area Rapid Transit District.</p> <p>Merced County Fire Protection District</p> <p>Yosemite National Park</p> <p>Merced High School</p> <p>School Facilities Improvement District No.1 (This is a financing district created by a school district that is not vested with its own governmental powers)</p> <p>Bay Area</p>	<p>one word</p> <p>one word</p> <p>three words</p> <p>three words</p> <p>six words</p> <p>two words</p>
<p>Whole Numbers - Digits (1 - 10 - 100, etc.) Spelled out numbers - One Hundred, Ten Thousand</p>	<p>one word one for each word</p>
Number combinations (1990, 1990-1991, 100%)	one word
<p>Dates - all digits (11/5/96) Word and digits (June 2, 1998)</p>	<p>one word two words</p>
<p>Monetary amounts: If the dollar sign is used with figures - \$1,000 Spelled out (one thousand dollars)</p>	<p>one word three words</p>
<p>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. Online dictionaries do not apply. (Grammar rules do not apply)</p>	one word
Normal punctuation	not counted
Telephone Numbers	one word
Website Addresses (i.e. www.com.etc)	one word
If measure designation (example: Measure “A”) is used in the text	one word

Only standard use of capital letters will be accepted.

UDEL Election Calendar Tuesday, November 5, 2013

(All code references are to Election Code unless otherwise stated)

Prior to a Candidate Soliciting or Accepting Contributions for Campaign Purposes	All candidates must file a FPPC Form 501 - Candidate Intention Statement Form 501 must be filed with the appropriate filing officer before soliciting or accepting contributions to their campaign. GC § 85200
July 4 – July 5	County Holiday - Fourth of July and Furlough Day
July 8 – August 7 (E-120 to E-90)	Notice of Election Cities consolidating with the November UDEL Election will publish the Notice of Election stating the date of the election, polling hours and any offices to be filled and/or measures to be voted on. EC §§ 12101 & 12111
July 8 – August 7 (E-120 to E-90)	Notice of Election This notice shall be published between these dates and shall contain the date of the general district election, name of the offices for which candidates may file, state the qualifications required for each office, location where declaration of candidacy forms will be available, where the forms are to be filed and the deadline for filing these forms. EC § 12112
July 15 – August 9 5 p.m. (E-113 to E-88)	Candidate Nomination Period Candidates (including incumbents seeking re-election to the same office) must file nomination documents with the county election official during this period. If applicable, the Nonrefundable filing fee (money, signatures or any prorated combination of both) shall be paid at the time the candidate obtains their nominations forms. Candidate Statements of Qualifications are due during this period. EC § 10220 & 10510
July 31 (E-98)	FPPC Semi-Annual Campaign Statement Due For period covering 1/1/13 – 6/30/13. GC § 84200 & 84218
August 7 – November 4 (E-90 to E-1)	Late Contributions and Independent Expenditures of \$1000 or More Within 24 hours of the transaction, FPPC Form 496 or 497 must be filed with the appropriate filing officer. GC § 84200.7(b)(1)
August 9 5 p.m. (E-88)	Close of Regular Candidate Nomination Period Candidate nomination documents are due. Incumbents who wish to file as a candidate for their own office must file by this date. Last day to withdraw declaration of candidacy papers except when there is an extension to that office. Form 700 Statements of Economic Interest are due. EC §§ 8020, 87200
August 10 – October 30 (E-88 through E-7)	Publication of Nominees City Election Official shall publish a list of nominees, in a newspaper of general circulation of the city. EC § 12110

<p>August 10 – August 14 5 p.m. (E-87 to E-83)</p>	<p>Extension of Candidate Nomination Period Extension period for anyone other than the incumbent if the incumbent did not file by August 10. This provision does not apply if there is no incumbent to be re-elected. EC §10225, 10407,10516 & 10603</p>
<p>August 15 11 a.m. (E-82)</p>	<p>Randomized Alphabet Drawing Conducted by the Secretary of State to determine candidate name order as it will appear on the ballot. The county election official will also hold a drawing at 11:00 a.m. for multi-county legislative offices. EC §13112</p>
<p>August 30 - September 2</p>	<p>Furlough Day and County Holiday – Labor Day</p>
<p>September 6 (E-60)</p>	<p>Special Vote By Mail Ballot Requests First day the county elections official may process applications for special vote by mail ballot requests. (Military, Overseas and 60-day voters) EC § 300(b), 3103</p>
<p>September 26 (E-40)</p>	<p>1st FPPC Pre-election Campaign Statement Due For the period covering 7/1/13 – 9/21/13. GC § 84200.7(b)(1)</p>
<p>September 26 – October 15 (E-40 to E-21)</p>	<p>Sample Ballot Pamphlets Pamphlets are mailed to each registered voter during this time. EC § 13300</p>
<p>October 7 – October 29 (E-29 to E-7)</p>	<p>Regular Vote by Mail Ballot Mailing and processing period for Vote by Mail ballots. Ballots will be available at the county elections office. EC § 3001</p>
<p>October 14</p>	<p>County Holiday – Columbus Day</p>
<p>October 21 (E-15)</p>	<p>15-Day Close Last day to register for this election. Postmarks, DMV and personal delivery to the election office are acceptable. EC § 2107</p>
<p>October 24 (E-12)</p>	<p>2nd FPPC Pre-election Campaign Statement Due For the period covering 09/23/13 – 10/19/13. GC § 84200.7(b)(2)</p>
<p>October 30 – November 5 (E-6 to E-0)</p>	<p>Special 7- day Ballots Available Available at the county election official's office for those voters unable to vote at the polls on election day. EC §3021</p>
<p>November 5 (E-0)</p>	<p>ELECTION DAY Polls are open from 7:00 a.m. until 8:00 p.m. EC § 1000, 14212</p>

<p>November 7 –November 25 (E+2 to E+20)</p>	<p>Canvass of the Vote The official canvass of precinct returns shall commence and be completed during this time. The county election official shall prepare a certified statement of the results and submit it to the governing bodies involved with this election. EC § 15301, 15372</p>
<p>December 6 (E+31)</p>	<p>Elected and Appointed District Officials Will Take Office At noon on the first Friday in December following this election. EC § 10554</p>
<p>January 31, 2014</p>	<p>FPPC Semi-Annual Campaign Statement Due For the period covering 7/1/13 – 12/31/13. GC § 84200, 84218</p>

E-date falls on a weekend or holiday; moved to next business day. [EC § 15](#)

This calendar is for information only and does not have the force and effect of law, regulations or rule. In case of conflict, the law, regulation or rule will apply.

FREQUENTLY ASKED QUESTIONS (CANDIDATES & COMMITTEES)

Q: Is a candidate who ran in a primary election required to file another Form 501 and open a separate bank account for the general (or run-off) election?

A: No, the Form 501 filed and bank account opened for the primary election cover both elections.

Q: Must an incumbent file a Form 501 if he or she is running for re-election to the same position?

A: Yes, the incumbent must file an initial Form 501. The Form 410 (Statement of Organization) must also be amended to indicate whether the incumbent is re-designating an existing bank account or establishing a new bank account.

Q: If a person buys a ticket to a campaign fundraiser, is the entire amount reported as a contribution?

A: Yes, typically the face value of the ticket is reported as a contribution. The benefit the attendee receives at the event (i.e. food, entertainment) is not subtracted from the amount of the ticket price.

Q: How are donated items for an auction or garage sale, as well as the proceeds of the sale, reported?

A: The fair market value of items donated for sale at an auction or garage sale must be reported as non-monetary contributions on Schedule C. Non-monetary contributions of \$100 or more received during the calendar year must be itemized.

If the person who purchases the item pays fair market value, the proceeds are not "contributions" because the purchaser has received full and adequate consideration for the payment. These amounts should be reported as "Miscellaneous Increases to Cash" on Schedule I. If the purchaser pays more than the fair market value, the amount over the fair market value is a contribution that must be reported on Schedule A.

Q: May a candidate be reimbursed for the use of a personal vehicle?

A: An officeholder, candidate, a member of his/her immediate family, the staff of a committee, or the staff of an elected officer's governmental agency may be reimbursed for use of a personal vehicle only if vehicle use directly relates to a political, legislative, or governmental purpose. The purpose and mileage must be documented in a manner approved by the Internal Revenue Service in connection with deductible mileage expenses. In addition, reimbursement cannot be made at a rate higher than allowed under Internal Revenue Code Section 162.

Q: If a candidate uses his/her personal telephone for campaign purposes, how should the telephone bills be paid?

A: Candidates that use personal telephones for campaign calls must pay the campaign portion of the bill with campaign funds. The other portion must be paid with personal funds.

Campaign Disclosure Information

The Political Reform Act requires candidate to file campaign statements disclosing contributions received and expenditures made. The statutory requirements of the Political Reform Act are contained in Sections 81000-91015 of the California Government Code and enforced by the Fair Political Practices Commission (FPPC).

You may contact the Technical Assistance Division of the Fair Political Practices Commission at the following: **428 J Street, Suite 450, Sacramento, CA 95814; (916)322-5660, 1(800)ASK-FPPC; www.fppc.ca.gov**

Summary of Disclosure Forms

Form Name	Description
Form 501 Candidate Intention	Basic form that must be filed prior to soliciting or receiving any contributions.
Form 410 Statement of Organization	To organize a committee and obtain a Committee ID Number from the state. Form 410 must be filed within 10 days of receiving \$1,000 in contributions.
Form 460 Recipient Committee Campaign Statement	For use by candidate or officeholder who has formed a controlled committee, or who has raised or spent or will raise or spend \$1,000 or more during a calendar year in connection with an election to office, or holding office.
Form 465 Supplemental Independent Expenditure Statement	Officeholders, candidates, and committees that make independent expenditures totaling \$1,000 or more in a calendar year to support or oppose a single candidate, a single measure, or the qualification of a single measure must file Form 465. (See FPPC web site for Proposition 34 prohibitions on independent expenditures and contributions to others committees.)
Form 470 Candidate and Office Holder Campaign Statement Short Form	This form is used by candidates who do not have controlled committee, and do not anticipate raising or spending \$1,000 or more in a calendar year. If Form 470 is filed on or before the deadline for the first pre-election campaign statement, no additional campaign statement need be filed in connection with the election so long as total receipts/expenditures remain less than \$1,000.
Form 470 Supplement	A candidate who filed Form 470 in connection with an election and subsequently receives contributions or makes expenditures totaling \$1,000 or more is required to file this form.
Form 496 Late Independent Expenditure Report	Any committee that makes independent expenditures totaling \$1,000 or more to support or oppose a single candidate or single ballot measure during the 16 days immediately prior to the election in which the candidate or measure is being voted must file a report within 24 hours of the expenditure.
Form 497 Late Contribution Report	Any committee that makes or receives a late contribution totaling \$1,000 or more from a single source during the 16 days immediately prior to the election in which the candidate or measure is to be voted must file a report within 24 hours of the time the contribution was made or received.

Filing Requirements

In addition to the election-specific filing listed, all candidates with qualified committees are required to file semi-annual campaign statements no later than July 31st and January 31st.

Tax ID Numbers

Some banks may require a committee to obtain a Tax ID Number before opening an account. Please contact the Internal Revenue Service for further details. You may apply for ID number using IRS Form SS-4.

Please note that the Committee ID Numbers issued to you by the Secretary of State is separate and distinct from the Tax ID Number you may obtain from the IRS. The two numbers are not interchangeable.

VOTE BY MAIL INFORMATION

Uniform Application for Vote by Mail Ballot [EC § 3306, 3307, 3007.5](#)

It is recommended that any vote by mail ballot application intended for mass reproduction be approved by the Registrar of Voters prior to its distribution to ensure compliance with current law.

- 1) [EC § 3007](#) requires that any individual, group, or organization distributing applications for vote by mail ballots must use the format for this application which has been approved by the Secretary of State. [EC § 3006, 3007, 3007.5, 18402](#)
- 2) [EC § 3006](#) specifically permits preprinting only the voter's name, residence address, date of birth, and the name and date of the election for which the application is being made.
- 3) The portion of the application which asks the address to which the voter wishes the vote by mail ballot to be mailed must, if different from the voter's residence address, be completed by the voter. The mailing address may not be the address of any political party, candidate, or political campaign headquarters.
- 4) The application shall provide the voters with information concerning the process for establishing permanent vote by mail voter status. [EC § 3006](#)
- 5) An application containing preprinted information must contain a conspicuously placed notice stating that: "You have the legal right to mail or deliver this application directly to the local elections official of the county where you reside."
- 6) Only the voter may sign the application.
- 7) If applications are distributed through the mail, they must not be forwarded.
- 8) Bar-coded affidavit or voter identification numbers on applications must meet approval of the Elections Department prior to distribution. To avoid possible problems, candidates and committees are advised to obtain voter information directly from the Elections Department.
- 9) Applications for vote by mail ballots must be made in writing and be received by the Elections Department no later than the 7th day before the election.

Candidates and committees may receive applications for vote by mail ballots. Applications must be submitted to the Elections Department within 72 hours of receipt. Candidates and committees may not collect, receive or handle voted vote by mail ballots.

Applications for vote by mail ballots are available on the Merced County's web site www.mercedelections.org (Under Department/Elections/Vote by Mail)

DEFINITION OF “MASS MAILING”

“Mass Mailing” means over two hundred substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry.

GC § 82041.5

MASS MAILING

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

(b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

(c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

GC § 84305

(Amended by Stats. 1989, Ch. 764, Sec. 1.)

IDENTIFICATION OF SENDERS OF A “SLATE MAILER”

(a) No slate mailer organization or committee primarily formed to support or oppose one or more ballot measures shall send a slate mailer unless:

(1) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures are shown on the outside of each piece of slate mail and on at least one of the inserts included with each piece of slate mail in no less than 8-point roman type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the street address of the slate mailer organization or the committee primarily formed to support or oppose one or more ballot measure is a matter of public record with the Secretary of State’s Political Reform Division.

(2) At the top or bottom of the front side or surface of at least one insert or at the top or bottom of one side or surface of a postcard or other self-mailer, there is a notice in at least 8-point roman boldface type, which shall be in a color or print which contrasts with the background so as to be easily legible, and in a printed or drawn box and set apart from any other printed matter. The notice shall consist of the following statement:

	NOTICE TO VOTERS	
	THIS DOCUMENT WAS PREPARED BY (name of slate mailer organization or committee primarily formed to support or oppose one or more ballot measures), NOT AN OFFICIAL POLITICAL PARTY ORGANIZATION. Appearance in this mailer does not necessarily imply endorsement of others appearing in this mailer, nor does it imply endorsement of, or opposition to, any issues set forth in this mailer. Appearance is paid for and authorized by each candidate and ballot measure which is designated by an *.	

(3) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures as required by paragraph (1) and the notice required by paragraph (2) may appear on the same side or surface of an insert.

(4) Each candidate and each ballot measure that has paid to appear in the slate mailer is designated by an *. Any candidate or ballot measure that has not paid to appear in the slate mailer is not designated by an *. The * required by this subdivision shall be of the same type size, type style, color or contrast, and legibility as is used for the name of the candidate or the ballot measure name or number and position advocated to which the * designation applies except that in no case shall the * be required to be larger than 10-point boldface type. The designation shall immediately follow the name of the candidate, or the name or number and position advocated on the ballot measure where the designation appears in the slate of candidates and measures. If there is no slate listing, the designation shall appear at least once in at least 8-point boldface type, immediately following the name of the candidate, or the name or number and position advocated on the ballot measure.

(5) The name of any candidate appearing in the slate mailer who is a member of a political party differing from the political party which the mailer appears by representation or indicia to represent is accompanied, immediately below the name, by the party designation of the candidate, in no less than 9-point roman type which shall be in a color or print that contrasts with the background so as to be easily legible. The designation shall not be required in the case of candidates for nonpartisan office. (b) For purposes of the designations required by paragraph (4) of subdivision (a), the payment of any sum made reportable by subdivision (c) of Section 84219 by or at the behest of a candidate or committee, whose name or position appears in the mailer, to the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures, shall constitute a payment to appear, requiring the * designation. The payment shall also be deemed to constitute authorization to appear in the mailer.
(Repealed and added by Stats. 2004, Ch. 478, Sec. 9. Effective September 10, 2004.)

[GC § 84305.5.](#)

POLITICAL ADVERTISEMENT REQUIREMENTS

Newspapers

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. Elections Code § 20008

SIMULATED BALLOT REQUIREMENTS

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

NOTICE TO VOTERS
(Required by Law)

**"This is not an official ballot or an official sample ballot prepared by the Merced County Registrar of Voters or the Secretary of State."
"This is an unofficial, marked ballot prepared by _____(insert name and address of the person or organization responsible for preparation thereof)."**

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

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

(c) The superior court, in any case brought before it by any registered voter, may issue a temporary or permanent restraining order or injunction against the publication, printing, circulation, posting, or distribution of any matter in violation of this section, and all cases of this nature shall be in a preferred position for purposes of trial and appeal, so as to assure the speedy disposition thereof. [EC § 20009](#)

PRINTING OF SIMULATED SAMPLE BALLOTS

In addition to any other penalty, any person who prints or otherwise duplicates, or causes to be printed or duplicated, a simulated ballot or simulated sample ballot that does not contain the statement required by Section 20009 or that uses an official seal or insignia in violation thereof, is guilty of a misdemeanor.

[EC § 18301](#)

OUTDOOR ADVERTISING: POLITICAL SIGNS (INCLUDING PLACARDS AND POSTERS)

Outdoor Political Advertising – State Law

[B&P § 5405.3](#) of the State Outdoor Advertising Act (Business & Professions Code) authorizes the placing of "temporary political signs" separate and apart from the normal outdoor advertising controls. No political sign may be placed within the right-of-way of any highway or within 660 feet of the edge of and visible from the right-of-way of a landscaped freeway.

Temporary political signs are those that meet the following criteria:

- Encourages a particular vote in a scheduled election;
- Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after the election;
- Is no larger than 32 square feet;
- Has had a "Statement of Responsibility" filed with the State Department of Transportation. Forms are available at the Merced County Elections Department.

The law directs the Department of Transportation to remove signs that do not comply with the regulations before an election and to bill the responsible party for removal costs after the election.

[PC §§ 556, 556.1, 556.3](#) provide that it is a misdemeanor for any person to place a sign to advertise on public or private property (without consent); and that it shall be considered a public nuisance.

The State agency responsible for administering outdoor advertising laws including those for political signs is:

STATE OFFICE

Department of Transportation

Division of Traffic Operations
Outdoor Advertising Program
P.O. Box 942874, MS-36
Sacramento, CA 94274-0001
(916) 654-6473 Public
(916) 651-9359 FAX

DISTRICT COORDINATOR

Department of Transportation

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

James Arbis

(916) 654-6413
(916) 651-9359 FAX

ELECTIONEERING

No person, on Election Day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place, a satellite location under [EC § 3018](#), or an elections official's office:

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

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

ELECTIONEERING DURING VOTE BY MAIL VOTING

- a) No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of an vote by mail voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the absentee voter is voting.
- b) Any person who knowingly violates this section is guilty of a misdemeanor.
- c) This section shall not be construed to conflict with any provision of the federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by [EC § 18370](#), or by any other provision of law.