



Candidate Handbook and Calendar

Consolidated Presidential General Election
November 3, 2020

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Calendar of Important Deadlines

Days Before	Actual Date(s)	Event
e-122	July 4	Independence Day - Office Closed
e-113 e-88	July 13 August 7	Nomination/Declaration of Candidacy/Statements of Qualifications Period (EC 8020, 8022, 8028, 8040, 8041, 8061-8063, 8100, 8105, 8106, 10407, 13307, 13311)
e-95	July 31	Semi-Annual Campaign Disclosure Statement Due (GC 84200.5, 84200.7)
e-90 e-0	August 5 November 3	24-Hour Contribution Reports (GC 82036)
e-87 e-83	August 8* August 12	Extended Declaration of Candidacy/Nomination Period (EC 8022, 8024, 8204)
e-83	August 12	Last day to File Petition - Write in for Unopposed Judicial Candidate (EC 8203)(a)
e-60 e-45	September 4 September 19	Issue 60-day Ballots to Military/Overseas Voters (EC 300(b), 321, 3101-3123)
e-57	September 7*	Labor Day - Office Closed
e-57 e-14	September 7* September 19*	Write-in Candidacy Period (EC 8600, 8601)
e-40 e-21	September 24 October 13	State Voter Information Guide Mailings (EC 9094)
e-40	September 24	Pre-Election Campaign Disclosure Statement Due (GC 84200.5, 84200.7)
e-29	October 5	Mail Vote by Mail Ballots/County Voter Information Guides to All Registered Voters (EC 4005(8)(A))
e-28 e-0	October 6 November 3	Open Ballot Drop Boxes (EC 3025b) <ul style="list-style-type: none"> • Exterior Box - Open 24 hrs, 7 days per week; 7am to 8pm Election Day • Interior Box - Open 8am to 5pm daily; 7am to 8pm Election Day
e-15	October 19	Close of Registration (EC 2107) ***
e-14	October 20	Candidate Meeting/Workshop - Government Center
e-12	October 22	Pre-Election Campaign Disclosure Statement Due (GC 84200.5, 84200.7)
e-3 e-1	October 31 November 2	7 Vote Centers Open: All Locations will be open daily from 8am to 5pm (EC 4000-4008)
e-0	November 3	Election Day (EC 1000, 4005, 14212, 14214, 14311) 7 Vote Centers: All Locations Open from 7am to 8pm
e+1	November 4	Post Election Reconciliation

e+2	November 5	Begin Official Canvass (EC 15301, 15372)
e+3	November 6	Last day to accept VBM ballots by mail with Postmark (EC 3020)***
e+20	November 23	Last day to accept VBM signature forms (EC 3019)
e+30	December 3	Last Day to Complete Official Canvass, Certify Results & Prepare Certificates - Governing Body declares results under its jurisdiction (BOS, Schools, Districts, etc) (EC 8145, 8146, 15372, 15400, 15401)
Certify +5 days	File within 5 days of Certification	Requests for Recount (EC 15620-15634)
Certify +30 days	File within 5 days of Certification	Election Contest (EC 16100, 16401)

* - indicates date that falls on weekend or holiday. Deadline moves to next business day.

*** - indicates date that is affected by Governor Newsome's Executive Order and is subject to change.

Federal and State Offices on the Ballot

OFFICE	INCUMBENT	DISTRICT	TERM
President/Vice President	Trump/Pence	Nationwide	4 Years
US Representative in Congress	Tom McClintock Jim Costa	District 4 District 16	2 Years 2 Years
Member of the State Assembly	Frank Bigelow	District 5	2 Years

Non-Partisan Local Offices on the Ballot

OFFICE	INCUMBENT	DISTRICT	TERM
Board of Education Area 1	Grant Sturm	Governing Board Member	4 Years
Board of Education Area 2	Sara Wilkins	Governing Board Member	2 Years
Board of Education Area 4	Nancy Prosperi	Governing Board Member	4 Years
Board of Education Area 5	Cathie Bustos	Governing Board Member	4 Years
Board of Education Area 7	Bobby Thatcher	Governing Board Member	4Years
Merced Community College Area 6	Jean Upton	Governing Board Member	4 Years
Chawanakee Unified Area 4	Jessie Hutchens	Governing Board Member	4 Years
Chawanakee Unified Area 5	Claudia Box	Governing Board Member	4 Years
Firebaugh-Las Deltas Unified Area 3	Abel Serrano	Governing Board Member	4 Years
Firebaugh-Las Deltas Unified Area 5	Ronnie Parker	Governing Board Member	4 Years
Golden Valley Unified Area 3	Andy Wheeler	Governing Board Member	4 Years
Golden Valley Unified Area 5	Steven Lewis	Governing Board Member	4 Years
Madera Unified Area 1	Ray Seibert	Governing Board Member	4 Years
Madera Unified Area 3	Ruben Mendoza	Governing Board Member	4 Years
Madera Unified Area 6	J. Gordon Kennedy	Governing Board Member	4 Years
Yosemite Unified Area 1	Anne Flanagan	Governing Board Member	2 Years
Yosemite Unified Area 2	Christine Wilder	Governing Board Member	4 Years
Yosemite Unified Area 3	Tammy Loveland	Governing Board Member	4 Years
Yosemite Unified Area 4	Stacey Montalto	Governing Board Member	4 Years
Chowchilla High School Area 1	Steve Massaro	Governing Board Member	4 Years
Chowchilla High School Area 3	Brenton Tatom	Governing Board Member	4 Years
Alview-Dairyland Area 3	Clayton Haynes	Governing Board Member	4 Years
Alview-Dairyland Area 5	Trudie Nieuwkoop	Governing Board Member	4 Years
Bass Lake Joint Union Area 1	B.J. Stewart	Governing Board Member	2 Years
Bass Lake Joint Union Area 3	Julie Greenwood	Governing Board Member	4 Years
Bass Lake Joint Union Area 4	Ryan Madaus	Governing Board Member	2 Years
Bass Lake Joint Union Area 5	Ronda Clarke	Governing Board Member	4 Years
Chowchilla Elementary Area 1	Amy Varney	Governing Board Member	4 Years
Chowchilla Elementary Area 5	Jan Crader	Governing Board Member	4 Years
Raymond-Knowles - At Large	Luke Bryson	Governing Board Member	4 Years
	Heather Abrahams	Governing Board Member	4 Years

City of Chowchilla - At Large	John Chavez Dennis Haworth Raymond Barragan	Member of City Council Member of City Council Member of City Council	4 Years 4 Years 4 Years
City of Madera Mayor City of Madera Council District 2 City of Madera Council District 4 City of Madera Council District 6	Andy Medellin Jose Rodriguez Derek O. Robinson Sr Donald E. Holley	Mayor (At Large) Member of City Council Member of City Council Member of City Council	4 Years 4 Years 4 Years 4 Years
Chowchilla Memorial Healthcare	Nicholas Nomicos Daniel Flanagan Gerry Green Leland Decker	Director - At Large Director - At Large Director - At Large Director - At Large	4 Years 4 Years 4 Years 4 Years
Madera Irrigation District Division 2 Madera Irrigation District Division 4 Madera Irrigation District Division 5	Rick Cosyns James Erickson Carl Janzen	Director - At Large Director - At Large Director - At Large	4 Years 4 Years 4 Years

Qualifications for Office - Local

Nonpartisan Office

Governing Board Member

Term: 4 Years

Term Begins: December 4, 2020 (Education Code 1007, 5017, 5019, 5093(b))
First Friday in December following the General Election

Qualifications: A candidate for Governing Board Member shall:

- be 18 years of age or older; and
- be a citizen of the State of California; and
- be a registered voter; and
- be a resident of the school district or trustee area, if applicable, and;
- not be disqualified by the Constitution or laws of the state from holding a civil office.

(Education Code 1006, 35107, 72103)

Nonpartisan Office

Member of City Council/Mayor

Term: 4 Years

Term Begins: December 4, 2020
First Friday in December following the General Election

Qualifications: A candidate for Member of City Council or Mayor shall:

- be a registered voter at the time nomination papers are issued; and
- be a resident of the district.

(Government Code 34882) (Elections Code 10227)

Nonpartisan Office

Director, Special District

Term: 4 Years

Term Begins: December 4, 2020 at Noon (H&S Code 32100) (Government Code 1780) (EC 10507, 10554)

Qualifications: A candidate for Director of a Special District shall:

- be a registered voter; and
- be a resident/registered voter of the district.

(H&S Code 32100) (Elections Code 10514) (Water Code 30500)

Incompatible Offices

Elections Code Section 8003

Government Code Section 1099, 87100, 87103

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

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

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

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

- The offices of city councilman and school district board member where the city and the school district have territory in common;
- Fire Chief of a County Fire Protection District and member of the Board of Supervisors of the same county;
- High School District Trustee and Trustee of an Elementary School District which is wholly within the geographic boundaries of the high school district;
- Water District Director and a City Council member;
- Water District Director and a School District Trustee having territory in common; and
- Deputy Sheriff and County Supervisor.

If you have a question about whether two public offices which you hold or seek to hold would be considered incompatible, contact the Attorney General’s office.

Steps to Becoming a Candidate

City Council / Mayor Candidates Only

Nomination Petitions

(Elections Code Sections 106, 8000-8228, 10220-10230)

July 13, 2020 to August 7, 2020

Candidates seeking elective CITY office are required to gather nominating signatures. Candidates are required to obtain 20-30 nominating signatures from voters who reside and are registered to vote in the area or district where they are seeking office. Candidates for Mayor or for office “at large”, may obtain signatures of any registered voters in the city.

- Signers of Nomination Petitions must be registered voters of the jurisdiction
- Signers must personally affix their printed name, residence address and signature
- Signers may not sign multiple nomination petitions for candidates seeking the same office
- Circulators of Nomination Petitions must be 18 years of age or older

Filing Fee

Upon issuance of the Nomination Petitions, candidates will be required to pay the non-refundable filing fee of \$25.00.

- Filing Fees for Local Offices shall be made payable to the County Clerk-Recorder

Declaration of Candidacy

(Elections Code Sections 8024, 8600-8605, 8800)

July 13, 2020 to August 7, 2020

All candidates seeking elective office are required to file a Declaration of Candidacy. This document details the specifics of the office sought, your ballot designation, address and contact information. Exceptions apply for Judicial candidates. **Once the Declaration of Candidacy is filed it cannot be withdrawn.**

If an Incumbent fails to file their Declaration of Candidacy by the deadline, the period is extended by 5 calendar days for anyone other than the Incumbent to **August 12, 2020.**

Name on Ballot and Ballot Designation

Elections Code Sections 13104-13107.5

All qualified candidates shall have their name listed on the ballot. Below their name usually appears a ballot designation. The ballot designation is to provide the voter with a brief description of your Principal Profession, Vocation or Occupation. Listing a ballot designation is optional. Every candidate will receive a Ballot Designation Worksheet; this form is to assist candidates in creating a title for their current profession, vocation, occupation, or incumbency.

Guidelines for Candidate Name on ballot are as follows:

- Full legal name; first, middle, last or first initial only and last name
- Nickname may be included but must be in parentheses () or quotation marks “ ”
- No use of change in legal name unless change was by marriage or court order
- A familiar short version of the first name, such as “Bill” for “William” or “Sue” for “Susan”
- No title or degree is permitted

Guidelines for Ballot Designation on ballot are as follows:

- Use of 3 words describing your Principle Profession, Vocation or Occupation
- Use of Elective Office or Title (geographical names count as 1 word)
- Use of Incumbent if the candidate is seeking re-election to the same office
- Use of Appointed Incumbent if candidate was appointed to the office
- Use of Community Volunteer subject to additional conditions:
 - Community volunteer activities constitute his/her primary profession, vocation or occupation
 - Candidate is not engaged concurrently in another principal profession, vocation or occupation

The Secretary of State or any Election Official shall not accept designations if any of the following are true:

- It would mislead the voter
- It would suggest an evaluation of a candidate such as outstanding, expert or virtuous
- It abbreviates the word “retired” or places it following any word or words it modifies
- It uses a word or prefix, such as “former” or “ex”, which means a prior status
- It uses the name of any political party
- It uses a word(s) referring to a racial, religious, or ethnic group

Ballot Designation

The ballot designation is a word or phrase that is printed below the candidate's name on the ballot. This phrase states the candidate's **current occupation** or **incumbent status**.

A ballot designation is optional; however, should a candidate choose to have one, the candidate is required to complete a ballot designation worksheet that states their choice of ballot designation, lists alternatives, and provides references.

Ballot Designation options:

Incumbent - Candidate was elected to that office by a vote of the people or was appointed in lieu of election and is seeking re-election to the same office.

Appointed Incumbent - Candidate appointed to the office and seeking election to the same office.

Elected Office Title - Candidate elected to that office and holds that office at the time nomination papers are filed. "Appointed" may also be used with title.

Principal Occupation - Three (3) word maximum to describe profession, vocation or occupation.

Upon checking ballot designation, if the Elections Official finds the designation to be in violation of any restrictions, the office will notify the candidate. If a first or second alternative is not provided within the time allowed, no designation will appear on the ballot.

Run-Off Candidates

For General Election run-off candidates, or candidates moving forward from the Primary, the ballot designation shall remain unchanged unless a request to change to a different qualified designation is made in writing by July 31, 2020.

Write-in Candidacy

Statement of Write-In Candidacy

(Elections Code Section 8600-8606)

September 7, 2020 to October 20, 2020*

Persons who did not file a Declaration of Candidacy and fulfill their nomination requirements to place their name on the ballot may run for office as a write-in candidate. Write-in votes will be counted and certified in the Statement of the Vote only for qualified **write-in candidates** who file their required forms with the Elections Division no later than 14 days prior to Election Day.

Voters may write-in any person they wish for any office regardless of whether the person has qualified or not. However, the votes will only be tabulated for qualified write-in candidates.

To qualify as a write-in candidate, a person must file with the Elections Division the following documents:

- Statement of Write-in Candidacy
- Nomination Petition - must obtain number of signatures required for the office sought

Nomination signature requirements

- Signers of Nomination Petitions must be registered voters of the jurisdiction
- Signers must personally affix their printed name, residence address and signature
- Circulators of Nomination Petitions must be 18 years of age or older

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

Write-in candidates are subject to the same requirements as other candidates with regard to disclosure of economic interests and campaign disclosure.

Notwithstanding any other provision of law, a person may not be a write-in candidate at the general election for a voter-nominated office.

(Elections Code Section 8606)

All Vote Centers will be provided with a list of Qualified Write-in Candidates.

Candidate's Statement of Qualifications Overview

Elections Code Sections 9, 13307, 13307.5, 13308, 13311
Government Code Section 85601

A Candidate's Statement of Qualifications is optional for State Legislative/Local candidates seeking elective office. Statements are printed in the Voter Information Portion of the County Voter Information Guide and are designed to provide voters with a candidate's qualifications for the office he/she is seeking. Candidates interested in purchasing a Statement of Qualifications are required to pay the estimated fee at the time the Statement is presented for filing.

Attach a printed copy of your statement to the cover sheet provided and prior to filing, email it to electionsinfo@maderacounty.com. **Additional fee of \$100 will be added if your statement is not submitted in electronic format.**

Statements are **CONFIDENTIAL** until nominations or extended nominations for that office close and then statements will be on public display for 10 days.

For Districts that are shared between counties, candidates may publish Statements of Qualification in the county of their choice.

Withdrawal

If you wish to Withdraw your statement, you must do so by 5:00pm on **August 10, 2020** (or by **August 13, 2020**, if period was extended), and the fee will be refunded in full. Please allow up to 4 weeks to receive your refund.

Payment

Statements must be paid for at the time the Statement of Qualifications is presented for filing. The fee shall be paid at the same time the candidate files his/her Nomination Papers and/or Declaration of Candidacy.

If your contest does not appear on the ballot, the Elections Official shall remove the statement automatically and arrange for a refund of the fee paid. Please allow up to 4 weeks to receive your refund.

Public Review

Statements remain confidential until August 10 or August 13, depending on the office. Once the filing period has closed, a 10-day public examination period allows documents to be reviewed and copies purchased.

Cost Estimates:

Office	Jurisdiction	Estimate
US Representative in Congress	District 4	\$750.00
US Representative in Congress	District 16	\$1,025.00
State Assembly	District 5	\$1,300.00
Board of Education	Area 1	\$650.00
	Area 2	\$650.00
	Area 4	\$600.00
	Area 5	\$535.00
	Area 7	\$550.00
Merced Community College District	Area 6	\$550.00
Chawanakee Unified School District	Area 4	\$450.00
	Area 5	\$450.00
Firebaugh-Las Deltas Unified School District	Area 3	\$450.00
	Area 5	\$450.00
Golden Valley Unified School District	Area 3	\$450.00
	Area 5	\$450.00
Madera Unified School District	Area 1	\$535.00
	Area 3	\$550.00
	Area 6	\$450.00
Yosemite Unified School District	Area 1	\$450.00
	Area 2	\$450.00
	Area 3	\$450.00
	Area 4	\$450.00
Chowchilla High School District	Area 1	\$450.00
	Area 3	\$450.00
Alview-Dairyland Union School District	Area 3	\$450.00
	Area 5	\$450.00
Bass Lake Joint Union School District	Area 1	\$450.00
	Area 3	\$450.00
	Area 4	\$450.00
	Area 5	\$450.00
Chowchilla Elementary School District	Area 1	\$450.00
	Area 5	\$450.00

Raymond-Knowles Elementary School District	At Large	\$450.00
City of Chowchilla	At Large	\$535.00
City of Madera	Mayor - At Large	\$750.00
	District 2	\$535.00
	District 4	\$450.00
	District 6	\$450.00
Chowchilla Memorial Healthcare District	At Large	\$550.00
Madera Irrigation District	Run by Division, elected At Large	\$750.00

Format Guidelines

- Statement must be submitted in electronic format or additional fee of \$100 will be applied email to: electionsinfo@maderacounty.com
- Statement must be submitted in hard copy format, attached to the form provided
- Statement shall be printed flush to the left; no indents and/or bullets will be allowed
- Statement are preferred to be typewritten; upper and lower case type; paragraph style
- Statement written by hand must be legible or shall be rejected
- Statement shall be written in the first person in the candidate's own words
- Statement shall not include the party affiliation of the candidate
- Statement shall not include membership or activity in partisan political organizations
- Statement shall not contain any demonstrably false, slanderous or libelous statements
- Statement submitted containing false statements with intent to mislead voters are subject to fines
- Statements shall be printed as submitted; errors will not be corrected

Word Count Guidelines

Elections Code Section 9

NOT included in the word count

- The heading and signature block
- Punctuation marks (Symbols such as & and # are not punctuation and are counted as one word).

Word limit

- Statements are limited to 250 words or less for State Legislative candidates
- Statements are limited to 200 words or less for local nonpartisan candidates

One word

- All geographical words (County of Madera = 1 word)
- Abbreviations for a word, phrase, or expression
- Hyphenated words that appear in any standard dictionary
- Dates consisting of digits only (1/1/2000)
- Numbers consisting of words shall be counted per word (One hundred - 2 words)
- Numbers consisting of digits only shall be counted as one word (100 = 1 word)
- Internet/website address shall be counted as one word
- Email addresses shall be counted as one word
- Telephone and/or fax numbers shall be counted as one word

Two words

- Dates consisting of words and digits shall be counted as two words (January 1, 2000)
- Combination of a number and a word (\$4 million; 30 percent)

If a statement submitted exceeds the number of words permitted, it will be rejected. Candidates may amend statements by hand if changes are clearly reflected and initialed by candidate.

Candidate's Statement of Qualifications - Sample

The estimated cost of printing a 200 word Statement of Qualifications is \$ 500.00 .

I hereby request that the following statement be printed in the Voter Information Pamphlet portion of the County Voter Information Guide. I understand the costs of said statement is an estimate and agree to pay for any additional costs associated with its printing and distribution. I further understand that this statement shall be printed as submitted. I declare under penalty of perjury that the information contained herein is true and correct.

DATE: May 1, 2008

SIGNATURE: John A. Candidate

NAME: JOHN A. CANDIDATE

AGE: 45

OCCUPATION: Businessman

(OCCUPATION NOT SUBJECT TO BALLOT DESIGNATION 3 WORD LIMITATION - IF LEFT BLANK NOTHING WILL BE PRINTED)

(Statement/Word Count begins here)

I am running for the governing board of the Washington Unified District because I feel I can bring a balance to the board. I attended local schools, graduating from Washington High School in 1984. I am married and currently have two children attending school in the district. I own and operate my own business, so I am well aware of the need to operate within a budget. With proper distribution of resources and educational materials I am convinced we can offer quality education to all students within the district. I have been active in the P.T.A., served on the Save Our Youth committee, and am an active member of the All-Faith Church. I have served as Boy Scout Leader for the past 3 years. I also serve as a volunteer at the Community Recycling Center as time allows.

I am looking forward to serving you on the Washington Unified School District Governing Board.
Thank you for your vote.

WORD COUNT: 154 VERIFIED BY DEPUTY: A. Smith

STATEMENT OF WITHDRAWAL

In the event there is no opposition for this contest, please do not print this statement.

Date

Candidate Signature

I hereby withdraw my Statement of Qualifications pursuant to Elections Code Section 13307(a)(3). Statements may be withdrawn until 5:00 p.m. on the next working day following the close of the Nomination Period (or extended nominations, if applicable).

Date

Candidate Signature

Code of Fair Campaign Practices

Elections Code Chapter 5, Division 20

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 candidate 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.

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 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.

Campaign Disclosure Reporting

Government Code Section 87200

The Political Reform Act of 1974 requires all candidates for state and local elective office, all state and local elected officeholders, proponents of state and local ballot measures who control a ballot measure committee, and committees supporting or opposing state and local candidates, and all measure committees, to file campaign disclosure statements disclosing contributions received and expenditures made. It is the responsibility of the candidate and or committee to be aware of and to file required campaign disclosure statements in a correct and timely manner. **Government Code Section 91013 provides for a late filing fine of \$10 per day for the late filing of any campaign disclosure statements after the deadline until the statement or report is filed.**

There is no local ordinance limiting the amount of contributions a candidate/committee may receive. Madera County candidates are urged to follow limitations and guidelines established by the Fair Political Practices Commission in Campaign Disclosure Manual 2, Chapter 2.

On November 7, 2017, the Madera County Board of Supervisors adopted an Ordinance Number 263A adding a section to Title 2.09 of the Madera County Code to enact electronic filing of Campaign Disclosure Statements which mandates all filings to be made electronically effective January 1, 2018.

As a result, as a candidate and/or officeholder, you will be required to file your campaign disclosure documents for this election and all future filings, electronically. **Exception: Form 501 and initial Form 410 must be filed on paper.**

New candidates: You will receive a “Welcome Letter” with instructions for completing your statements.

Campaign Disclosure Filing Schedule

FILING DEADLINE	STATEMENT TYPE	PERIOD COVERED	DELIVERY
July 31, 2020	Semi-Annual	* - 06/30/20	*Personal *1st Class Mail
Within 24 hours	Late Contributions and Independent Expenditures of \$1,000 or More	08/05/20 - 11/03/20	*Personal *Overnight Service *Fax
September 24, 2020	1 st Pre-Election	07/01/20 - 09/19/20	*Personal *1st Class Mail
October 22, 2020	2 nd Pre-Election	09/20/20 - 10/17/20	*Personal *1st Class Mail
February 1, 2021	Semi-Annual	10/18/20 - 12/31/20	*Personal *1st Class Mail

* - 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.

This schedule does not apply to candidates that will not raise or spend more than \$2,000. Candidates spending less than \$2,000 must file a Form 470 by August 7, 2020.

Candidates with organized committees are required to file a Form 460 at each of the above filing periods. In order to avoid penalties and fines, you must file each statement by the deadlines shown. You will not be sent further notification of your filing requirements.

Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, there is no provision in the law for extending a filing deadline. Late statements are subject to a \$10 per day late fine.

All statements are public documents.

Campaign Disclosure Form Descriptions

FORM 501 - CANDIDATE INTENTION STATEMENT

- Must be filed BEFORE any money is collected or spent from personal funds
- New Form 501 required for each election

FORM 410 - STATEMENT OF ORGANIZATION

- Required to form committee if candidate raises or spend more than \$2,000
- Required to be filed if candidate files 470 Supplement
- Original Form 410 is mailed to Secretary of State within 10 days of qualifying; include \$50 fee
- Copy of Form 410 shall be filed with local elections office
- Pay annual fee of \$50 by January 15 for as long as the committee is open

FORM 460 - RECIPIENT COMMITTEE CAMPAIGN STATEMENT LONG FORM

- Required to be filed by any candidate that has filed a Form 410
- Required to be filed at all filing periods prior to, during, and after an election
- Termination statement and Termination Form 410 required to close committee

FORM 470 - OFFICEHOLDER AND CANDIDATE CAMPAIGN STATEMENT SHORT FORM

- Required to be filed by any candidate that spends or receives \$2,000 or less in a calendar year
- Payments from candidate's personal funds do not count towards the \$2,000 threshold

FORM 470 SUPPLEMENT

- Required to be filed if candidate filed Form 470 but later exceeds the \$2,000 threshold
- Required to be provided to all other candidates for the same office

FORM 496 - LATE INDEPENDENT EXPENDITURE REPORT

- Required to be filed if \$1,000 or more is paid to a single source within 90 days before election day

FORM 497 - LATE CONTRIBUTION REPORT

- Required to be filed within 24 hours of receiving or making a late contribution

Campaign Disclosure Requirements Overlooked

BE INFORMED: The Franchise Tax Board is authorized under Section 90001 of the Government Code to audit Campaign Disclosure Statements. The audit can include tests of the accounting records and other such auditing procedures.

The purpose of campaign disclosure is to provide the public with the identity of contributors and the amounts they give, as well as the amount officeholders, candidates and committees spend. The laws passed to enforce that purpose can be challenging for the unwary, therefore some often overlooked requirements, some identified in audit reports, are provided here:

- Unopposed candidates are subject to provisions of the Political Reform Act (GC 82007).
- Contributions include **PERSONAL FUNDS** and are subject to the same disclosure requirements.
- Loans to a candidate are considered contributions unless the loan is from a financial institution.

- Filing fees and candidate statement fees may be paid in cash if the candidate is using personal funds and will not be reimbursed through the committee (GC 85200). Otherwise, campaign disclosure laws requires that expenditures of \$100 or more be made by written instrument containing the names of both the payee and payer. (GC 84300)

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

- For contributions of \$100 or more, including loans, and in-kind contributions, you must disclose the contributor's name, address, occupation and employer. Contributions of \$100 or more may not be made in the form of a money order or cashier's check. Contributions may continue to be made with a credit card. (GC 84300)

- Maintain details on contributions and expenditures of \$25 or more, even if you are spending less than \$2,000.
- Make copies of all contributor checks.

- Candidates must disclose employer information for all contributors and keep records of occupation and employer information.

- **NO PERSONAL USE OF CAMPAIGN FUNDS.** Use campaign funds only for political, legislative or governmental purposes.

- The source of each loan must be disclosed.

- All expenditures of \$100 or more must be itemized on the campaign statements, and then summarized on the Campaign Disclosure Statement summary page.

- As long as the committee is in existence, a Semi-Annual Campaign Statement must be filed. If the candidate has filed a long form (460) previously in the calendar year, a 460 must also be filed as the Semi-annual Statement even if there is no activity.

- Payee addresses must be disclosed on the campaign statements for expenditures made.

Statement of Economic Interests - Form 700

Government Code Section 87200

Statement of Economic Interest forms are required by every candidate running for local elective office.

This statement reveals investments, interests in real property, business positions held on the date of filing your declaration of candidacy, and income (including loans, gifts, and travel payments received during the past 12 months and must be reported.

If the candidate has filed a statement for the same jurisdiction within 60 days prior to filing their declaration of candidacy, a new statement shall not be required.

On November 7, 2017, the Madera County Board of Supervisors adopted an Ordinance Number 263A adding a section to Title 2.09 of the Madera County Code to enact electronic filing Statements of Economic Interests which mandates all filings to be made electronically by January 1, 2020.

Your Form 700 is due by the close of the nomination period, August 7, 2020.

If you already have a NetFile account for your current position, you may login and file the statement in the usual manner.

If you are a new candidate, see below.

To file your Form 700 electronically:

1. Go to <https://netfile.com/filer>
2. Click on the link "New User? Request a Password" to receive an email from NetFile
3. Log in with your email address and password at <https://netfile.com/filer>
4. Select and start your Form 700 Candidate Statement
5. Click the "Get Help for this Page" button for information and instructions.
6. When you have completed your document, file by clicking on the "E-File Statement" button.

For technical assistance, contact NetFile at filerhelp@netfile.com

Campaign Literature, Mass Mailing, Political Advertising

Government Code Sections 82041.5, 82048.3, 84305, 89001, 89002, 89003

MASS MAILING

Definition of a Mass Mailing: Mass mailing means over two hundred (200) substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry.

NOTE: If you are planning any type of mass mailing, please contact the post office in advance for specific postal regulations.

MASS MAILING REQUIREMENTS

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).

MASS MAILING PROHIBITIONS

No newsletter or other mass mailing shall be sent at public expense. New prohibitions apply with passage of SB45 in 2017. **Handout of bill included in your packet.**

POLITICAL ADVERTISING 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)

Additional requirements apply with the passage of Assembly Bill 249 which was signed by the Governor on October 7, 2017. **Handout of bill included in your packet.**

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 this 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 any official sample ballot prepared by the county elections official, or the Secretary of State.”

This is an unofficial, marked ballot prepared by (insert name and address of the person or organization responsible for the 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 positions for purposes of trial and appeal, so as to assure the speedy disposition thereof.

(Elections Code §20009)

TRUTH IN ENDORSEMENTS LAW

a) Provides information regarding restrictions on endorsements, representation requirements, etc. A copy is available in the California Elections Code which can be viewed at www.leginfo.ca.gov/calaw.

(Elections Code §20000-20010)

Voter Information and Election Statistical Data

California Administrative Code, Title 2, Division 7, Section 19003

California Elections Code Section 2187(g), 2188, 2194

Voter registration information is available for governmental, political, journalistic or educational purposes only. An application to purchase voter registration information is required. Requests must be submitted in writing, and applications are available in the Elections Division or on our website at www.votemadera.com.

MATERIALS AVAILABLE

Alphabetical Lists List of registered voters in Alphabetical order	\$.50¢ per 1,000 records
Street Lists List of registered voters by residence address	\$.50¢ per 1,000 records
Mailing Labels	\$40.00 + \$10 per 1,000 records
Statement of the Vote (hard copy)	\$20.00
Voted Voter History (hard copy)	\$20.00 + \$.50¢ per page
CD - Voter file with History	\$40.00 + \$1.00 per 1,000 records
CD - Voter file no History	\$40.00 + \$.30¢ per 1,000 records
CD - Vote by Mail voters	\$10.00
CD - Precinct District File (PDF)	\$10.00
CD - Statement of the Vote	\$15.00
Map - Countywide/City/Supervisorial	\$ 5.00
Map - Individual Precincts	\$.50¢ per precinct
Polling Place List	\$ 5.00
Candidate List	\$ 5.00
Copies of Campaign Disclosure Statements	\$.10¢ per page
Copies of Statements of Economic Interests	\$.10¢ per page

Use of the information includes direct election campaigning, surveys in conjunction with an election campaign, and distribution of information of a political nature.

- Data may not be sold, leased, loaned, reproduced or possession thereof relinquished without written authorization to do so from the Secretary of State or the Madera County Registrar of Voters.

PERMISSIBLE USAGE

Permissible usage includes, but is not limited to:

- Use of information for purposes of communicating with others in connection with any election;
- Sending communications, including but not limited to, mailings which campaign for or against any candidate or ballot measure in any election;
- Sending communications, including but not limited to, mailings by or in behalf of any political party; of candidates, elections, political party developments and related matters;
- Sending communications, including but not limited to, mailings, incidental to the circulation or support of, or opposition to any recall, initiative, or referendum petition;
- Sending of newsletters or bulletins by any elected public official, political party or candidate for public office;
- Conducting any survey of voters in connection with any election campaign;
- Conducting any survey of opinions of voters by any government agency, political party, elected official or political candidate for election or governmental purposes;
- Conducting an audit of voter registration lists for the purposes of detecting voter registration fraud;
- Soliciting contributions or services as part of any election campaign on behalf of any candidate for public office or any political party or in support of or opposition to any ballot measure;
- Any official use by any local, state, or federal government agency.

PROHIBITED USAGE

The California Code of Regulations, Division 7, Article 1, Section 19004, specifies prohibited usage.

Prohibited usage includes:

- Any communication or other use solely or partially for any commercial purpose;
- Solicitation of contributions or services for any purpose other than on behalf of a candidate or political party or in support of or opposition of a ballot measure.
- Conducting any survey of opinions of voters other than those permitted by Section 19003(f)(g).

California Elections Code Section 18109 states:

“(a) it is a misdemeanor for any person in possession of information obtained pursuant to Article 5 (commencing with Section 2180) of Chapter 2 of Division 2, or Section 6254.4 of the Government Code, knowingly to use or permit the use of all or any part of that information for any purpose other than as permitted by law.

(b) it is a misdemeanor for any person knowingly to acquire possession or use of voter registration information referred to in subdivision (a) without first complying with Section 2188.”

Political Sign Standards

State Outdoor Advertising Act Section 5405.3

California Department of Transportation requires that prior to posting any temporary political sign, it is necessary to complete and submit a Statement of Responsibility form. This form has been included in your packet. Visit www.dot.ca.gov for more information.

Outdoor Political Advertising - State Law

Section 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 Department certifying a person who will be responsible for removing the sign

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.

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

Outdoor Political Advertising - Madera County Code

Section 18.90.040 of Chapter 18.90 of Title 18 of the Madera County Code states that “No sign shall be placed upon any public property, including sidewalks, crosswalks, roads, curbs, lamp posts, hydrants, trees, utility poles, buildings, fences, and rights-of-way of any type, except such legal notices which are authorized by law to be so located. No sign shall project over any public property right-of-way.” This ordinance, number 525C, was enacted in April, 1994.

Electioneering

Elections Code Section 3018, 14240, 18370, 18541

No person, on Election Day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling site, vote center or election official's office:

- Circulate an initiative, referendum, recall or nomination petition
- Display of a candidate's name, likeness or logo
- Display of a ballot measure's number, title, subject or logo
- Display buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information
- Dissemination of audible electioneering information
- Loitering near or disseminating visible or audible electioneering information at VBM Drop Boxes

In addition, section 18541 states that:

1. (a) No person shall, with the intent of dissuading another person from voting, within 100 feet of a polling place, do any of the following:
 - Solicit a vote or speak to a voter on the subject of marking his or her ballot.
 - Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.
 - Photograph, video record, or otherwise record a voter entering or exiting a polling place.
- (b) Any violation of this section is punishable by imprisonment in a county jail for not more than 12 months, or in the state prison. Any person who conspires to violate this section is guilty of a felony.
- (c) For purposes of this section, 100 feet means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

As used in this section "100 feet from a polling place, a satellite location under Section 3018, or an elections official's office" means a distance of 100 feet from 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.

Poll Watching

Elections Code Sections 2300(a)(9), 14221, 14294

Poll watchers are allowed at the polling place/vote center as long as they obey the law and election procedures.

Persons observing the polls may:

- Inspect the Roster of Voters.
 - Inspection may not impede, interfere, or interrupt the normal processing of voters
- Inspect the Street Index (if applicable).
 - Inspection of list only; list may not be removed by anyone other than poll workers
- Observe all activities at the polling place, including activities before, during and after the polls close.
 - Observation may not impede, interfere, or interrupt normal processes

Exit Polls

Secretary of State Opinion 1992

The Secretary of State and Attorney General have reviewed the Electioneering provisions and have determined that these provisions do not apply to the Press and Media conducting “Exit Polls”. However, no one may interfere with the conduct of the election.

News media are instructed to remain at least 25 feet from the entrance to the polling place/vote center. The media may take pictures or run a television camera inside the polling place provided they respect the voters’ privacy and do not interfere with voting. They may not speak to voters regarding how they are voting within 25 feet of the entrance to the polls. Entrance to the polling place/vote center is defined as the room or rooms in which voters are signing the roster and casting ballots.

Election Night Results

Elections Code Section 15150

All official ballots are tabulated in the office of the County Clerk-Recorder, located at: 200 West 4th Street, Madera. The semifinal official canvass shall commence immediately upon the close of the polls and shall continue without adjournment until all precincts are accounted for.

Unofficial results are provided in the form of hard copy reports that are available throughout the night in the County Clerk's office and are also posted on our website www.votemadera.com as they become available.

Initial results are released after the Vote Centers close at 8:00 p.m.

Results are also available by phone. The numbers to call are:

- 559-675-7720
- 559-675-7721
- 559-675-7724
- 800-435-0509
- RTT/TTY - to be determined

Results on election night are not provided in a precinct by precinct format.

All results on election night are **UNOFFICIAL**. The official results will not be certified until the completion of the official canvass.

Official Canvass

Elections Code Section 15300-15373

The Official Canvass shall commence on Thursday, November 5, 2020 and shall continue daily, for no less than 6 hours per day, until completed. The County Clerk-Recorder staff has 30 days to complete the Official Canvass.

Upon completion of the Official Canvass, the County Clerk-Recorder shall produce a Certification of Results and Statement of the Vote.

Election Resources



Madera County Elections Division
200 West 4th Street
Madera CA 93637
559-675-7720
559-675-7870 Fax
800-435-0509 Toll Free
www.votemadera.com



Fair Political Practices Commission
1102 Q Street, Suite 3000
Sacramento CA 95811
916-322-5660
916-322-3711 Fax
866-Ask-FPPC Toll Free
www.fppc.ca.gov



Secretary of State - Elections Division
1500 11th Street, 5th Floor
Sacramento CA 95814
916-657-2166
916-653-3214 Fax
800-345-VOTE Toll Free
www.sos.ca.gov

Secretary of State - Political Reform Division
1500 11th Street, Room 495
Sacramento CA 95814
916-653-6224
www.sos.ca.gov/campaign-lobbying/

Agency Contacts for Violations

The Madera County Clerk-Recorder & Registrar of Voters Office welcomes receiving notice of cases of alleged voter registration, petition or voter fraud; however, this office is NOT an investigative or enforcement agency and is therefore unable to investigate any violations. However, any complaint received by this office will be forwarded to the proper agency for investigation and/or enforcement.

To file a complaint, visit our website to download a form at www.votemadera.com.

In response to many of the inquiries our office receives regarding the possible election violations or fraud, the following is a list of resources regarding whom you should contact for the various types of violations:

- **False or misleading campaign materials**
No agency enforcement.
Issues resolved via court action.
- **Violations of the Political Reform Act
(Title 9 of California Government Code §81000-91015) Mass Mailing; Slate Mailers; Campaign Disclosure, Use of Campaign Funds; Statements of Economic Interest**
Contact local District Attorney at (559) 675-7726
or
Fair Political Practices Commission at 1-800-561-1861.
- **Election Fraud**
Contact local District Attorney at (559) 675-7726, **or** the Secretary of State at (916) 657-2166.
- **Unlawful use of public funds, violations of the Elections Code, Penal Code or any law other than the Political Reform Act**
Contact local District Attorney at (559) 675-7726, **or** the Attorney General at 1-800-952-5225.
- **Federal Campaign, e.g., US Senate, US Congress and President of the United States**
Contact the Federal Elections Commission at 1-800-424-9530.
- **Open Meeting Laws (Brown Act)**
Contact local District Attorney at (559) 675-7726, **or** the Attorney General at 1-800-952-5225.
- **Local Ordinances**
County - Contact Code Enforcement (559) 661-6333 **or** District Attorney at (559) 675-7726.
City - Contact City Attorney (559) 661-5400
- **Vandalism of Campaign Signs/Concerns regarding Signage**
Contact local District Attorney at (559) 675-7726 or Code Enforcement at (559) 661-6333.