



Candidate Handbook and Calendar

Consolidated General Election
November 8, 2022

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Calendar of Important Deadlines

Days Before	Actual Date(s)	Event
e-113 e-88	July 18 August 12	Nomination/Declaration of Candidacy/Statements of Qualifications Period (EC 8020, 8022, 8028, 8040, 8041, 8061-8063, 8100, 8105, 8106, 10407, 13307, 13311)
e-99	August 1	Semi-Annual Campaign Disclosure Statement Due (GC 84200.5, 84200.7)
e-90 e-0	August 10 November 8	24-Hour Contribution Reports begin (GC 82036)
e-87 e-83	August 13 August 17	Extended Declaration of Candidacy/Nomination Period (EC 8022, 8024, 8204)
e-87 e-78	August 13 August 22	Period to Submit Arguments For or Against Measures (EC 9162, 9163, 9315, 9316, 9502) 10-Day Public Examination Period of Documents filed by e-88 (EC 9190, 9295, 9380, 9509, 13113)
e-83	August 17	Last day to File Petition - Write in for Unopposed Judicial Candidate (EC 8203)(a) Last day to File Petition - Write in for Nominees Not Exceeding Offices (EC 10515)
e-82	August 18	Random Alpha Drawing (EC 13112) at 11:00am
e-77 e-67	August 23 September 2	Period to submit Rebuttals to Arguments For or Against Measures (EC 9167, 9317, 9504) 10-Day Public Examination Period of Arguments (EC 9190, 9380, 9509)
e-66 e-56	September 3 September 13	10-Day Public Examination Period of Rebuttals (EC 9190, 9380, 9509)
e-64	September 5	Labor Day - Office Closed
e-60 e-45	September 9 September 24	Issue 60-day Ballots to Military/Overseas Voters (EC 300(b), 321, 3101-3123)
e-57 e-14	September 12 October 25	Write-in Candidacy Period (EC 8600, 8601)
e-40 e-21	September 29 October 18	State Voter Information Guide Mailings (EC 9094)
e-40	September 29	Pre-Election Campaign Disclosure Statement Due (GC 84200.5, 84200.7)

e-29	October 10	Mail Vote by Mail Ballots/County Voter Information Guides to All Registered Voters (EC 4005(8)(A)) Open Ballot Drop Boxes (EC 3025b) <ul style="list-style-type: none"> • Exterior Boxes - 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 24	Close of Registration (EC 2107)
e-12	October 27	Pre-Election Campaign Disclosure Statement Due (GC 84200.5, 84200.7)
e-10	October 29	2 Vote Centers Open - Madera Central & Oakhurst Open daily from 8am to 5pm (EC 4000-4008)
e-3 e-1	November 5 November 7	All Vote Centers Now Open; All Locations will be open daily from 8am to 5pm (EC 4000-4008)
e-0	November 8	Election Day (EC 1000, 4005, 14212, 14214, 14311) 8 Vote Centers: All Locations Open from 7am to 8pm
e+1	November 9	Post Election Reconciliation
e+2	November 10	Begin Official Canvass (EC 15301, 15372)
e+3	November 11	Veteran's Day - Office Closed
e+7	November 15	Last day to accept VBM ballots by mail with Postmark (EC 3020)
e+16	November 24	Thanksgiving Day - Office Closed
e+17	November 25	Day After Thanksgiving Holiday - Office Closed
e+23	December 1	Last day to accept VBM signature forms (EC 3019)
e+30	December 8	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 completion of canvass	Requests for Recount (EC 15620-15634) Within five (5) days after the completion of the official canvass, any voter may request a recount by filing a written request with the Elections Official and specifying which candidates and/or measures are to be recounted. The request may specify the order of the precincts for the recount, and the petitioning voter shall, before commencement of each day's recount, deposit such sum as the official requires to cover costs.
Certify +30 days	Varies between 10 days to 6 months following the certification of the vote	Election Contest (EC 16100, 16401)

Federal and State Offices on the Ballot

OFFICE	DISTRICT	TERM
US Representative in Congress	District 5	2 Years
	District 13	2 Years
State Senate	District 4	4 Years
	District 14	4 Years
Member of the State Assembly	District 8	2 Years
	District 27	2 Years

Judicial Offices on the Ballot

COURT	DISTRICT	TERM
<u>Appellate</u>		
Associate Justice (Hill)	Fifth District	12 years
Associate Justice (Levy)	Fifth District	12 Years
Associate Justice (Detjen)	Fifth District	12 Years
<u>Superior</u>		
Judge (Collet)	Office 2	6 Years
Judge (Vogt)	Office 3	6 Years

Non-Partisan Local Offices on the Ballot

DISTRICT	INCUMBENT	OFFICE	TERM
Alview-Dairyland Area 1	Tom Fry	Governing Board Member	4 years
Alview-Dairyland Area 2	Kelsey Bruecker	Governing Board Member	4 years
Alview-Dairyland Area 4	Reis M Soares	Governing Board Member	4 years
Bass Lake Joint Union Area 1	Bill Atwood	Governing Board Member	4 years
Bass Lake Joint Union Area 2	Ann Mangold	Governing Board Member	4 years
Bass Lake Joint Union Area 4	Steven R High	Governing Board Member	4 years
Board of Education Area 2	Tammy Loveland	Governing Board Member	4 years
Board of Education Area 3	Alfred Soares Jr	Governing Board Member	4 years
Board of Education Area 4 - (ST)	Nancy Prosperi	Governing Board Member	2 years
Board of Education Area 6	Joe Vived	Governing Board Member	4 years
Chawanakee Unified Area 1	Jim McDougald	Governing Board Member	4 years
Chawanakee Unified Area 2	Barbara Bigelow	Governing Board Member	4 years
Chawanakee Unified Area 3	Seth Waltner	Governing Board Member	4 years
Chowchilla Elementary Area 1 - (ST)	Laurie Harry	Governing Board Member	2 years
Chowchilla Elementary Area 2	Leslie M Rogers	Governing Board Member	4 years
Chowchilla Elementary Area 3	Conrad Gaunt	Governing Board Member	4 years
Chowchilla Elementary Area 4	Kenneth Lasiter	Governing Board Member	4 years
Chowchilla High School Area 2	Charlene Espinola	Governing Board Member	4 years
Chowchilla High School Area 4	Mike Cargill	Governing Board Member	4 years
Chowchilla High School Area 5	Patrick DeWall	Governing Board Member	4 years
Chowchilla Memorial Healthcare	Kelby Hooper	Director	4 years
Directors serve At-Large	Mary Gaumnitz	Director	4 years
City of Chowchilla	Diana Palmer	Member of City Council	4 years
Members serve At-Large	Waseem Ahmed	Member of City Council	4 years
	Kelly Smith	Member of City Council	4 years
City of Madera Council District 1	Cece Gallegos	Member of City Council	4 years
City of Madera Council District 3	Steve Montes	Member of City Council	4 years
City of Madera Council District 5	Elsa Mejia	Member of City Council	4 years
Fresno County Board of Ed Area 1	Kim Tapscott-Munson	Governing Board Member	4 years

Golden Valley Unified Area 1	Mona Diaz	Governing Board Member	4 years
Golden Valley Unified Area 2	Maria Knobloch	Governing Board Member	4 years
Golden Valley Unified Area 4	Shelley Johnson	Governing Board Member	4 years
Madera Unified Area 2	Ed McIntyre	Governing Board Member	4 years
Madera Unified Area 4	Joetta Flores Fleak	Governing Board Member	4 years
Madera Unified Area 5	Lucy Salazar	Governing Board Member	4 years
Madera Unified Area 7	Nadeem Ahmad	Governing Board Member	4 years
Madera Irrigation District Division 1	Dave Loquaci	Director	4 years
Madera Irrigation District Division 2	Tim DaSilva	Director	4 years
Madera Irrigation District Division 3	Brian Davis	Director	4 years
Directors run by District, elected At-Large			
Raymond-Knowles	Rebecca Hardison	Governing Board Member	4 years
Members serve At-Large	Teresa Miller Young	Governing Board Member	4 years
	Karen Hutchings	Governing Board Member	4 years
State Center Community College Area 1	Robert Kahn Jr.	Governing Board Member	4 years
West Hills Community College Area 2	Salvador Raygoza	Governing Board Member	4 years
Yosemite Unified Area 1	Anne Flanagan	Governing Board Member	4 years
Yosemite Unified Area 5	Monika Moulin	Governing Board Member	4 years

Residence and Domicile

In order to qualify for most offices, a candidate must be a registered voter of the district or division thereof. The following code sections will assist in determining residence.

Elections Code §349. Residence and Domicile.

(a) "Residence" for voting purposes means a person's domicile.

(b) The domicile of a person is that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. At a given time, a person may have only one domicile.

(c) The residence of a person is that place in which the person's habitation is fixed for some period of time, but wherein he or she does not have the intention of remaining. At a given time, a person may have more than one residence.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2020. Term of domicile.

The term of domicile is computed by including the day on which the person's domicile commenced and by excluding the day of the election.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2021. Person away for temporary purposes.

(a) A person who leaves his or her home to go into another state or precinct in this state for temporary purposes merely, with the intention of returning, does not lose his or her domicile.

(b) A person does not gain a domicile in any precinct into which he or she comes for temporary purposes merely, without the intention of making that precinct his or her home.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2022. Move to another state.

If a person moves to another state with the intention of making it his or her domicile, the voter loses his or her domicile in this state.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2023. Move to another state.

If a person moves to another state as a place of permanent residence, with the intention of remaining there for an indefinite time, he or she loses his or her domicile in this state, notwithstanding that he or she intends to return at some future time.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2024. Intention and fact of removal.

The mere intention to acquire a new domicile, without the fact of removal avails nothing, neither does the fact of removal without the intention.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2025. Employment in the service of the United States; navigation; institution.

A person does not gain or lose a domicile solely by reason of his or her presence or absence from a place while employed in the service of the United States or of this state, nor while engaged in 55 navigation, nor while a student of any institution of learning, nor while kept in an almshouse, asylum or prison. This section shall not be construed to prevent a student at an institution of learning from qualifying as an elector in the locality where he or she domiciles while attending that institution, when in fact the student has abandoned his or her former domicile.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2026. Domicile of legislative member or congressional representative.

The domicile of a Member of the Legislature or a Representative in the Congress of the United States shall be conclusively presumed to be at the residence address indicated on that person's currently filed affidavit of registration, as long as the address is a residence under subdivision (c) of Section 349, notwithstanding that the member or representative may have another residence at which any of the following apply:

- (a) A child for whom the member or representative is a parent, step-parent, foster parent, guardian, or caretaker is enrolled in school.
- (b) The spouse, domestic partner, or intimate partner of the member or representative is located for employment.
- (c) The member or representative receives mail or other postal or parcel deliveries.
- (d) The member or representative owns, leases, or rents a dwelling.
- (e) The member or representative claims a homeowner's exemption or any other similar claim for tax purposes.
- (f) The member or representative maintains accounts or pays for utilities, cable or satellite television, Internet service, home security service, home or landscape maintenance, or other similar services.
- (g) The member or representative registers a vehicle or boat.
- (h) The member or representative maintains policies of insurance.
- (i) The member or representative has items of personal property.

(Amended by Stats. 2018, Ch. 911, Sec. 1. (SB 1250) Effective January 1, 2019.)

Elections Code §2027. Domicile of family; residence in trailer.

The place where a person's family is domiciled is his or her domicile unless it is a place for temporary establishment for his or her family or for transient objects. Residence in a trailer or vehicle or at any public camp or camping ground may constitute a domicile for voting purposes if the registrant complies with the other requirements of this article.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2028. Place of family and business.

If a person has a family fixed in one place, and the person does business in another place, the former is the person's place of domicile. However, if the person having a family fixed in one place, has taken up an abode in another place with the intention of remaining, and the person's family does not so reside with the person, the person is a domiciliary where the person has so taken up the abode. For purposes of this section, a person may take up an abode at the same place at which the person does business.

(Amended by Stats. 2019, Ch. 63, Sec. 1. (AB 679) Effective January 1, 2020.)

Elections Code §2029. Domicile of spouse.

The domicile of one spouse shall not be presumed to be that of the other, but shall be determined independently in accordance with this article.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2030. Marriage to a person employed in the service of the United States.

A domiciliary of this state who marries a person employed temporarily in this state in the service of the United States government, may elect to retain his or her domicile for the purpose of qualifying as an elector only, except that his or her domicile in this state shall terminate if the domiciliary qualifies as an elector in any other state or any territory.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2031. Homeowner's property tax exemption; renter's tax credit; driver's license.

If a person has more than one residence and that person maintains a homeowner's property tax exemption on the dwelling of one of the residences pursuant to Section 218 of the Revenue and Taxation Code, there shall be a rebuttable presumption that the residence subject to the homeowner's property tax exemption is that person's domicile. However, this presumption shall not apply in the event any other residence is listed as the person's current residence address on any driver's license, identification card or vehicle registration issued to that person by, and on file with, the Department of Motor Vehicles. If a person has more than one residence and that person claims a renter's tax credit for one of the residences pursuant to Section 17053.5 of the Revenue and Taxation Code, there shall be a rebuttable presumption that the residence subject to the renter's tax credit is that person's domicile. However, this presumption shall not apply in the event any other residence is listed as the person's current residence address on any driver's license, identification card, or vehicle

registration issued to that person by, and on file with, the Department of Motor Vehicles. This section shall not be applicable to state or federal elected officials.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2032. More than one residence.

Except as provided in this article, if a person has more than one residence and that person has not physically resided at any one of the residences within the immediate preceding year, there shall be a rebuttable presumption that those residences in which he or she has not so resided within the immediate preceding year are merely residences as defined in subdivision (c) of Section 349 and not his or her domicile.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2033. Change of house number.

Whenever the house number or the mailing address of a voter has been changed and the voter's domicile is the same, the public agency authorizing the change shall notify the county elections official in writing of the change and the county elections official shall make the change on the voter's affidavit of registration and a new affidavit shall not be required.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2034. Domicile in more than one precinct.

A person domiciled in a house or apartment lying in more than one precinct shall be registered as domiciled in the precinct designated by the county elections official on the basis of the street address or other precinct the county elections official considers appropriate unless the person requests, either by letter or in person at the office of the county elections official, that he or she wishes to be domiciled for registration purposes in another precinct in which his or her house or apartment lies. In order to fulfill the requirements of this section, the letter of request shall include the name, signature, and residence address of the requester.

(Enacted by Stats. 1994, Ch. 920, Sec. 2.)

Elections Code §2035. Voter residence changes 14 days prior to an election.

A person duly registered as a voter in any precinct in California who removes therefrom within 14 days prior to an election shall, for the purpose of that election, be entitled to vote in the precinct from which the person so removed until the close of the polls on the date of that election.

(Amended by Stats. 2000, Ch. 899, Sec. 1. Effective January 1, 2001.)

COURT CASES

Voter Registration and Establishment of Domicile. Walters v. Weed (1988)

AKA “UCSC Student Voting Case.” 45 Cal.3rd.1

In this California Supreme Court decision, the court held that voters who have moved, but have not established a new domicile, may vote in the precinct of their former domicile even though they have no intention of returning to live there.

Homeless Person’s Right to Register to Vote.

Collier v. Menzel (1985). AKA “Fig Tree Case.” 176 Cal. App. 3d 24

In this Court of Appeal decision, the court held that a homeless person may register at a location deemed by the voter to be a dwelling place or place of habitation for that voter. A mailing address needs to be provided in order for the voter to receive election materials.

Qualifications for Office - Local

Nonpartisan Office

Governing Board Member

Term: 2 or 4 Years

Term Begins: December 9, 2022 (Education Code 1007, 5017, 5019, 5030, 5093(b))
Second 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, 5030, 35107, 72103)

Nonpartisan Office

Member of City Council

Term: 4 Years

Term Begins: December 2, 2022
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 2, 2022 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

Nomination Petitions

July 18, 2022 to August 12, 2022

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

ONLY Candidates seeking elective **City Council** offices are required to gather nominating signatures. Candidates are required to obtain 20-30 nominating signatures from voters who reside in and are registered to vote in the area or district where they are seeking office.

- 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 for **City Council offices ONLY** 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 18, 2022 to August 12, 2022

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 17, 2022.**

Extension does not apply to an office where there is no Incumbent or if the seat is vacant.

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.

In accordance with newly signed legislation, Senate Bill 594 (Glazer)

(a) Notwithstanding paragraph (2) of subdivision (a) of Section 13107, a candidate for the office of Representative in Congress, Member of the State Board of Equalization, State Senator, or Member of the Assembly shall not choose the word “incumbent” as a designation to appear on the ballot. This subdivision shall not be construed to prevent a candidate from choosing a designation of the elective office which the candidate holds at the time of filing the nomination documents, to which the candidate was elected by vote of the people in accordance with paragraph (1) of subdivision (a) of Section 13107.

(b) (1) Section 8022, as it pertains to the offices of Representative in Congress, Member of the State Board of Equalization, State Senator, or Member of the Assembly, shall not be operative.

(2) Notwithstanding Section 8020 or any other law, a person shall have until 5 p.m. on the 83rd day before the direct primary election to file nomination documents for an elective office if the office is one of the following:

(A) Representative in Congress, and no person who currently holds the office of Representative in Congress delivered nomination documents for that district by 5 p.m. on the 88th day before the direct primary election.

(B) Member of the State Board of Equalization, and no person who currently holds the office of Member of the State Board of Equalization delivered nomination documents for that district by 5 p.m. on the 88th day before the direct primary election.

(C) State Senator, and no person who currently holds the office of State Senator delivered nomination documents for that district by 5 p.m. on the 88th day before the direct primary election.

(D) Member of the Assembly, and no person who currently holds the office of Member of the Assembly delivered nomination documents for that district by 5 p.m. on the 88th day before the direct primary election.

(Added by Stats. 2021, Ch. 320, Sec. 1. (SB 594) Effective September 27, 2021. Repealed as of January 1, 2023, pursuant to Section 8169.)

8169. This chapter shall remain in effect only until January 1, 2023, and as of that date is repealed.

(Added by Stats. 2021, Ch. 320, Sec. 1. (SB 594) Effective September 27, 2021. Repealed as of January 1, 2023, by its own provisions. Note: Repeal affects Chapter 1.5, commencing with Section 8160.)

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

Write-in Candidacy

Statement of Write-In Candidacy

(Elections Code Section 8600-8606)

September 12, 2022 to October 25, 2022

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 Section 13307; 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.

Statements may be withdrawn, but not changed, until 5:00 pm on the next regular business day after nominations close (August 15, 2022). Statements are **CONFIDENTIAL** until nominations or extended nominations for that office close and then statements will be on public display for 10 days.

The additional fee of \$100 will be added if your statement is not submitted in electronic format.

Office/Jurisdiction	Estimate
US Representative in Congress Districts 5 or 13	\$1,035.00
State Senate Districts 4 or 14	\$1,035.00
State Assembly Districts 8 or 27	\$1,035.00
Judge of the Superior Court (Office 2 or 3)	\$2,065.00
County Supervisor District 1 (Run-off)	\$850.00
County Supervisor 5 (Run-off)	\$905.00
Alview-Dairyland Union School District	\$500.00
Bass Lake Joint Union School District	\$525.00
Board of Education	\$700.00
Chawanakee Unified School District	\$525.00
Chowchilla Elementary School District	\$525.00
Chowchilla High School District	\$525.00
Chowchilla Memorial Healthcare District	\$700.00
City of Chowchilla	\$600.00

City of Madera	\$625.00
Fresno County Board of Education	\$500.00
Golden Valley Unified School District	\$525.00
Madera Unified School District	\$625.00
Madera Irrigation District	\$1,075.00
Raymond-Knowles Elementary School District	\$500.00
State Center Community College District	\$1,265.00
West Hills Community College District	\$500.00
Yosemite Unified School District	\$600.00

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

- Statements are limited to 250 words or less for State Legislative candidates
- Statements are limited to 200 words or less for local nonpartisan candidates
- Punctuation is not counted
- Proper Nouns are counted as one word
- All geographical words will be counted as one word (County of Madera = 1 word)
- Abbreviations for a word, phrase, or expression, will be counted as one word
- Hyphenated words that appear in any standard dictionary will be counted as one word
- Dates consisting of words and letters will be counted as two words (January 1, 2000)
- Dates consisting of digits only will be counted as one word (1/1/2000)
- Numbers consisting of words will be counted per word (One hundred - 2 words)
- Numbers consisting of digits only will be counted as one word (100 = 1 word)
- Internet/website address will be counted as one word
- Email addresses will be counted as one word
- Telephone and/or fax numbers will be counted as one word

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 Madera County ordinance limiting the amount of contributions a candidate/committee may receive. However, pursuant to Assembly Bill 571 (Stats. 2019, Ch. 556, AB 571 Mullin), beginning January 1, 2021 a state campaign contribution limit will by default apply to city and county candidates when the city or county has not already enacted a contribution limit on such candidates. Along with the new campaign contribution limit, there are also other related provisions that formerly applied only to state level candidates that will now apply to city and county candidates. Please note that none of the provisions of AB 571 discussed herein apply to candidates in cities or counties for which the city or county has enacted campaign contribution limits.

Current State Contribution Limit

The contribution limit that will now apply to city and county candidates pursuant to AB 571 is updated biennially for inflation. Contribution limits can be found in Regulation 18545(a)² and on the FPPC website. The default limit for contributions to city and county candidates subject to AB 571 for 2021-2022 is set at \$4,900 per election.

OTHER AMENDED PROVISIONS AFFECTING CITY CANDIDATES

Several other provisions will now apply to city candidates in jurisdictions that have not enacted campaign contribution limits, including the following:

- A candidate may not make a contribution over the AB571 limit to another candidate in jurisdictions subject to the AB571 limit.
- Candidates may transfer campaign funds from one-candidate controlled committee to another committee controlled by the same candidate if the committee receiving the transfer is not for an elective state, county or city office. However, contributions transferred must be transferred using the “last in, first out” or “first in, first out” accounting method and shall not exceed the applicable contribution limit per contributor.
- Candidates may not personally loan to a candidate’s campaign an amount for which the outstanding balance exceeds \$100,000. A candidate may not charge interest on any such loan the candidate made to the candidate’s campaign.

Candidates may establish a committee to oppose the qualification of a recall measure and the recall election when the candidate receives a notice of intent to recall. Campaign funds raised to oppose the qualification of a recall measure and/or the recall election would not be subject to any campaign contribution limit under the Act.

- Contributions after the date of the election may be accepted to the extent contributions do not exceed net debts outstanding from the election, and contributions do not otherwise exceed applicable contribution limits for that election.
- Candidates may carry over contributions raised in connection with one election to pay for campaign expenditures incurred in connection with a subsequent election for the same office.
- Candidates are permitted to raise contributions for a general elections before the primary election and may establish separate campaign contribution accounts for the primary and general so long as the candidates set aside contributions and use them for the general or special general election as raised. If the candidate is defeated in the primary election or otherwise withdraws from the general election, the general election funds must be refunded to contributors on a pro rata basis less any expenses associated with the raising and administration of the general election contributions.

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.**

A “Welcome Letter” with instructions for completing your statements on NetFile will be sent to the email address you provided on your candidate worksheet.

Campaign Disclosure Filing Schedule

VERY IMPORTANT - PLEASE RETAIN

FILING DEADLINE	STATEMENT TYPE	PERIOD COVERED	DELIVERY
August 1, 2022	Semi-Annual	* - 6/30/22	*Personal *1st Class Mail
Within 24 hours	Late Contributions and Independent Expenditures of \$1,000 or More	8/10/22 - 11/8/2022	*Personal *Overnight Service *Fax
September 29, 2022	1 st Pre-Election	7/1/22 - 9/24/22	*Personal *1st Class Mail
October 27, 2022	2 nd Pre-Election	9/25/22 - 10/22/22	*Personal *1st Class Mail
January 31, 2023	Semi-Annual	10/23/22 - 12/31/22	*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 12, 2022.

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 12, 2022.

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

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
USB - Voter file with History	\$40.00 + \$1.00 per 1,000 records
USB - Voter file no History	\$40.00 + \$.30¢ per 1,000 records
USB - Vote by Mail voters	\$10.00 per file/per day
USB - Precinct District File (PDMJ001)	\$10.00
USB - Statement of the Vote	\$15.00
Map - Countywide/City/Supervisorial	\$ 5.00
Map - Individual Precincts	\$.50¢ per precinct
Vote Center 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.

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)

Electioneering

Elections Code Sections 319.5, 3018, 14240, 18370, 18371,

ELECTIONS CODE SECTION 319.5 (as amended by SB35)

“Electioneering” means the visible display or audible dissemination of information that advocates for or against any candidate or measure on the ballot within the 100 foot limit specified in subdivision (b). Prohibited electioneering information or activity includes, but is not limited to any of the following:

- (1) A display of a candidate’s names, likeness, or logo.
 - (2) A display of a ballot measure’s number, title, subject, or logo.
 - (3) Buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information.
 - (4) Dissemination of audible electioneering information.
 - (5) Obstructing access to, loitering near, or disseminating visible or audible electioneering information at vote by mail drop boxes.
- (b) The activities described in subdivision (a) are prohibited within 100 feet of either of the following:
- (1) The entrance to a building that contains a polling place as defined by Section 338.5, an elections official’s office, or a satellite location specified in Section 3018.
 - (2) An outdoor site, including a curbside voting area, at which a voter may cast or drop off a ballot.

ELECTIONS CODE SECTION 3018

(a) Any voter using a vote by mail ballot may, prior to the close of the polls on election day, vote the ballot at the office of the elections official. The voter shall vote the ballot in the presence of an officer of the elections official or in a voting booth, at the discretion of the elections official, but in no case may his or her vote be observed. Where direct recording electronic voting systems, as defined in subdivision (b) of Section 19271, are used the elections official shall provide sufficient direct recording electronic voting systems to include all ballot types in the election.

(b) For purposes of this section, the office of an elections official may include satellite locations. Notice of the satellite locations shall be made by the elections official by the issuance of a general news release, issued not later than 14 days prior to voting at the satellite location, except that in a county with a declared emergency or disaster, notice shall be made not later than 48 hours prior to voting at the satellite location. The news release shall set forth the following information:

- (1) The satellite location or locations.
 - (2) The dates and hours the satellite location or locations will be open.
 - (3) A telephone number that voters may use to obtain information regarding vote by mail ballots and the satellite locations.
- (c) Vote by mail ballots voted at a satellite location pursuant to this section shall be placed in a vote by mail voter identification envelope to be completed by the voter pursuant to Section 3011. However, if the elections official provides sufficient direct recording electronic voting systems such that all ballot types in the election may be cast, the vote by mail ballot may be cast on a direct recording electronic voting system.

ELECTIONS CODE SECTION 14240

(a) A person offering to vote may be orally challenged within the polling place only by a member of the precinct board upon any or all of the following grounds:

- (1) That the voter is not the person whose name appears on the roster.
- (2) That the voter is not a resident of the precinct, or in an election conducted using a voter center, not a resident of the county.
- (3) That the voter is not a citizen of the United States.
- (4) That the voter has voted in that election.

(b) A person, other than a member of a precinct board or other official responsible for the conduct of the election, shall not challenge or question any voter concerning the voter's qualifications to vote.

(c) If any member of a precinct board receives, by mail or otherwise, any document or list concerning the residence or other voting qualifications of any person or persons, with the express or implied suggestion, request, or demand that the person or persons be challenged, the board member shall first determine whether the document or list contains or is accompanied by evidence constituting probable cause to justify or substantiate a challenge. In any case, before making any use whatever of such a list or document, the member of the precinct board shall immediately contact the elections official, charged with the duty of conducting the election, and describe the contents of the document or list and the evidence, if any, received bearing on voting qualifications. The elections official shall advise the members of the precinct board as to the sufficiency of probable cause for instituting and substantiating the challenge and as to the law as herein provided, relating to hearings and procedures for challenges by members of the precinct board and determination thereof by a precinct board. The elections official may, if necessary, designate a deputy to receive and answer inquiries from precinct board members as herein provided.

ELECTIONS CODE SECTION 18730

(a) A person shall not, on election day, or at any time that a voter may be casting a ballot, within the 100 foot limit specified in subdivision (b), do any of the following:

- (1) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (2) Solicit a vote or speak to a voter on the subject of marking the voter's ballot.
- (3) Place a sign relating to voters' qualifications or speak to a voter on the subject of the voters' qualifications except as provided in Section 14240.
- (4) Do any electioneering as defined by Section 319.5.

(b) The activities described in subdivision (a) are prohibited within 100 feet of either of the following:

- (1) Entrance to a building that contains a polling place as defined by Section 338.5, an election officials's office, or satellite location specified in Section 3018.
- (2) An outdoor site, including curbside voting area, at which a voter may cast or drop off a ballot.

(c) A person shall not, on election day, or at any time that a voter may be casting a ballot, do any of the following within the immediate vicinity of a voter in line to cast a ballot or drop off a ballot:

- (1) Solicit a vote.
 - (2) Speak to a voter about marking the voter's ballot.
 - (3) Disseminate visible or audible electioneering information.
- (d) Any person who violates any of the provisions of this section is guilty of a misdemeanor.

ELECTIONS CODE SECTION 18371

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 Section 3018, or an elections official's office:

(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 a 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 vote by mail 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 Section 18370, or by any other provision of law.

Penal Provisions

Related to Misrepresentation by Candidates; Corruption of the Voting Process; Intimidation of Voters

PENAL CODE SECTION 115.1

(a) The Legislature finds and declares that the voters of California are entitled to accurate representations in materials that are directed to them in efforts to influence how they vote.

(b) No person shall publish or cause to be published, with intent to deceive, any campaign advertisement containing a signature that the person knows to be unauthorized.

(c) For purposes of this section, "campaign advertisement" means any communication directed to voters by means of a mass mailing as defined in Section 82041.5 of the Government Code, a paid television, radio, or newspaper advertisement, an outdoor advertisement, or any other printed matter, if the expenditures for that communication are required to be reported by Chapter 4 (commencing with Section 84100) of Title 9 of the Government Code.

(d) For purposes of this section, an authorization to use a signature shall be oral or written.

(e) Nothing in this section shall be construed to prohibit a person from publishing or causing to be published a reproduction of all or part of a document containing an actual or authorized signature, provided that the signature so reproduced shall not, with the intent to deceive, be incorporated into another document in a manner that falsely suggests that the person whose signature is reproduced has signed the other document.

(f) Any knowing or willful violation of this section is a public offense punishable by imprisonment in a county jail not exceeding 6 months, or pursuant to subdivision (h) of Section 1170, or by a fine not to exceed fifty thousand dollars (\$50,000), or by both that fine and imprisonment.

(g) As used in this section, "signature" means either of the following:

(1) A handwritten or mechanical signature, or a copy thereof.

(2) Any representation of a person's name, including, but not limited to, a printed or typewritten representation, that serves the same purpose as a handwritten or mechanical signature.

ELECTIONS CODE SECTION 18350

(a) A person is guilty of a misdemeanor who, with intent to mislead the voters in connection with his or her campaign for nomination or election to a public office, or in connection with the campaign of another person for nomination or election to a public office, does either of the following acts:

(1) Assumes, pretends, or implies, by his or her statements, conduct, or campaign materials, that he or she is the incumbent of a public office when that is not the case.

(2) Assumes, pretends, or implies, by his or her statements, conduct, or campaign materials, that he or she is or has been acting in the capacity of a public officer when that is not the case.

(b) A violation of this section may be enjoined in a civil action brought by a candidate for the public office involved.

ELECTIONS CODE SECTION 18351

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

ELECTIONS CODE SECTION 18500

Any person who commits fraud or attempts to commit fraud, and any person who aids or abets fraud or attempts to aid or abet fraud, in connection with any vote cast, to be cast, or attempted to be cast, is guilty of a felony, punishable by imprisonment for 16 months or two or three years.

ELECTIONS CODE SECTION 18501

Any public official who knowingly violates any of the provisions of this chapter, and thereby aids in any way the illegal casting or attempting to cast a vote, or who connives to nullify any of the provisions of this chapter in order that fraud may be perpetrated, shall forever be disqualified from holding office in this state and upon conviction shall be sentenced to a state prison for 16 months or two or three years.

ELECTIONS CODE SECTION 18502

Any person who in any manner interferes with the officers holding an election or conducting a canvass, or with the voters lawfully exercising their rights of voting at an election, as to prevent the election or canvass from being fairly held and lawfully conducted, is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

ELECTIONS CODE SECTION 18503

An employer who violates Section 14004 shall be subject to a civil fine of up to ten thousand dollars (\$10,000) per election. An action for a civil fine under this subdivision may be brought by the Secretary of State or any public prosecutor with jurisdiction.

ELECTIONS CODE SECTION 18504

Notice regarding the prohibitions on activity related to corruption of the voting process set forth in this chapter shall be provided to the public. The Secretary of State shall promulgate regulations specifying the manner in which such notice shall be provided.

ELECTIONS CODE SECTION 18520

A person shall not directly or through another person give, offer, or promise any office, place, or employment, or promise to procure or endeavor to procure any office, place, or employment to or for any voter, or to or for any other person, in order to induce that voter at any election to:

- (a) Refrain from voting.
- (b) Vote for any particular person.
- (c) Refrain from voting for any particular person.

A violation of any of the provisions of this section shall be punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

ELECTIONS CODE SECTION 18521

A person shall not directly or through any other person receive, agree, or contract for, before, during or after an election, any money, gift, loan, or other valuable consideration, office, place, or employment for himself or any other person because he or any other person:

- (a) Voted, agreed to vote, refrained from voting, or agreed to refrain from voting for any particular person or measure.
- (b) Remained away from the polls.
- (c) Refrained or agreed to refrain from voting.
- (d) Induced any other person to:
 - (1) Remain away from the polls.
 - (2) Refrain from voting.
 - (3) Vote or refrain from voting for any particular person or measure.

Any person violating this section is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

ELECTIONS CODE SECTION 18522

Neither a person nor a controlled committee shall directly or through any other person or controlled committee pay, lend, or contribute, or offer or promise to pay, lend, or contribute, any money or other valuable consideration to or for any voter or to or for any other person to:

- (a) Induce any voter to:
 - (1) Refrain from voting at any election.
 - (2) Vote or refrain from voting at an election for any particular person or measure.
 - (3) Remain away from the polls at an election.
- (b) Reward any voter for having:
 - (1) Refrained from voting.
 - (2) Voted for any particular person or measure.
 - (3) Refrained from voting for any particular person or measure.
 - (4) Remained away from the polls at an election.

Any person or candidate violating this section is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

ELECTIONS CODE SECTION 18523

A person shall not directly or through any other person advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person, with the intent that it, or any part thereof, shall be used in bribery at any election, or knowingly pay or cause to be paid any money or other valuable thing to any person in discharge or repayment of any money, wholly or in part, expended in bribery at any election.

Any person violating this section is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

ELECTIONS CODE SECTION 18524

A person shall not directly or through any other person advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person, with the intent that it, or any part thereof, will be used for boarding, lodging, or maintaining a person at any place or domicile in any election precinct, ward, or district, with intent to secure the vote of that person or to induce that person to vote for any particular person or measure.

Any person violating this section is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

ELECTIONS CODE SECTION 18540

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

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

ELECTIONS CODE SECTION 18541

(a) A person shall not, with the intent of dissuading another person from voting, within the 100 foot limit specified in subdivision (b), do any of the following:

- (1) Solicit a vote or speak to a voter on the subject of marking the voter's ballot.
- (2) Place a sign relating to voters' qualifications or speak to a voter on the subject of the voter's qualifications except as provided in Section 14240.
- (3) Photograph, video record, or otherwise record a voter entering or exiting a polling place.
- (4) Obstruct ingress, egress, or parking.

(b) The activities described in subdivision (a) are prohibited within 100 feet of either of the following:

- (1) The entrance to a building that contains a polling place as defined by Section 338.5, an elections official's office, or a satellite location specified in Section 3018.
- (2) An outdoor site, including a curbside voting area, at which a voter may cast or drop off a ballot.

(c) A person shall not, with the intent of dissuading another person from voting, do any of the following within the immediate vicinity of a voter in line to cast a ballot or drop off a ballot:

- (1) Solicit a vote.
- (2) Speak to a voter about marking the voter's ballot.
- (3) Disseminate visible or audible electioneering information.

(d) A violation of this section is punishable by imprisonment in a county jail for not more than 12 months, or in state prison. Any person who conspires to violate this section is guilty of a felony.

ELECTIONS CODE SECTION 18542

Every employer, whether a corporation or natural person, or any other person who employs, is guilty of a misdemeanor if, in paying his or her employees the salary or wages due them, encloses their pay in pay envelopes upon which or in which there is written or printed the name of any candidate or any political mottoes, devices, or arguments containing threats, express or implied, intended or calculated to influence the political opinions or actions of the employees.

ELECTIONS CODE SECTION 18543

(a) Every person who knowingly challenges a person's right to vote without probable cause or on fraudulent or spurious grounds, or who engages in mass, indiscriminate, and groundless challenging of voters solely for the purpose of preventing voters from voting or to delay the process of voting, or who fraudulently advises any person that he or she is not eligible to vote or is not registered to vote when in fact that person is eligible or is registered, or who violates Section 14240, is punishable by imprisonment in the county jail for not more than 12 months or in the state prison.

(b) Every person who conspires to violate subdivision (a) is guilty of a felony.

ELECTIONS CODE SECTION 18544

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

(b) This section shall not apply to any of the following:

(1) An unarmed uniformed guard or security personnel who is at the polling place to cast his or her vote.

(2) A peace officer who is conducting official business in the course of his or her public employment or who is at the polling place to cast his or her vote.

(3) A private guard or security personnel hired or arranged for by a city or county elections official.

(4) A private guard or security personnel hired or arranged for by the owner or manager of the facility or property in which the polling place is located if the guard or security personnel is not hired or arranged solely for the day on which an election is held.

ELECTIONS CODE SECTION 18545

Any person who hires or arranges for any other person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, to be stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years, or in a county jail not exceeding one year, or by both that fine and imprisonment. This section shall not apply to the owner or manager of the facility or property in which the polling place is located if the private guard or security personnel is not hired or arranged solely for the day on which the election is held.

ELECTIONS CODE SECTION 18546

As used in this article:

(a) “Elections official” means the county elections official, registrar of voters, or city clerk.

(b) “Immediate vicinity” means the area within a distance of 100 feet from the room or rooms in which the voters are signing the roster and casting ballots.

ELECTIONS CODE SECTION 18547

(a) In addition to any other fine or penalty imposed by this article, the court may order any person convicted of violating this article to pay a restitution fine, the amount of which shall be determined by the court and be commensurate with the seriousness of the offense.

(b) The moneys derived from the fine assessed pursuant to subdivision (a) shall be deposited in the Voter Intimidation Restitution Fund, created in Section 18548.

ELECTIONS CODE SECTION 18548

The Voter Intimidation Restitution Fund is hereby established in the State Treasury. Upon appropriation by the Legislature, moneys in the fund shall be allocated to the Secretary of State to be used in voter education campaigns addressing the specific crime committed by anyone convicted of violating this article. The funds shall also be used for the administrative costs associated with distribution of the fund.

ELECTIONS CODE SECTION 18560

Every person is guilty of a crime punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years, or in a county jail not exceeding one year, who:

(a) Not being entitled to vote at an election, fraudulently votes or fraudulently attempts to vote at that election.

(b) Being entitled to vote at an election, votes more than once, attempts to vote more than once, or knowingly hands in two or more ballots folded together at that election.

(c) Impersonates or attempts to impersonate a voter at an election.

ELECTIONS CODE SECTION 18561

Every person is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years who:

(a) Procures, assists, counsels, or advises another to give or offer his vote at any election, knowing that the person is not qualified to vote.

(b) Aids or abets in the commission of any of the offenses mentioned in Section 18560.

ELECTIONS CODE SECTION 18562

Every member of a precinct board is guilty of a misdemeanor who, prior to putting the ballot of a voter in the ballot box, commits any of the following:

- (a) Attempts to find out any name on the ballot.
- (b) Opens or suffers to be opened or examined the folded ballot of any voter which has been handed in.
- (c) Makes or places any mark or device on any folded ballot with a view to ascertaining the name of any person for whom the voter has voted.

ELECTIONS CODE SECTION 18562.5

(a) A member of the public is guilty of a misdemeanor if, while observing any of the following, he or she willfully engages in any conduct set forth in subdivision (b):

- (1) The processing of vote by mail ballots conducted pursuant to Chapter 2 (commencing with Section 15100) of Division 15.
- (2) The semifinal official canvass conducted pursuant to Chapter 3 (commencing with Section 15150) of Division 15.
- (3) The official canvass conducted pursuant to Chapter 4 (commencing with Section 15300) of Division 15.
- (4) A recount conducted pursuant to Chapter 9 (commencing with Section 15600) of Division 15.

(b) (1) Attempting to ascertain the identity and ballot choices of a voter, or having observed or learned the identity of a voter, attempting to ascertain the ballot choices of that voter.

(2) Opening a provisional or vote by mail ballot envelope containing a voted ballot in order to ascertain the voter's ballot choices.

(3) Making or placing a mark or device on a ballot or secrecy envelope in an attempt to ascertain the voter's ballot choices.

ELECTIONS CODE SECTION 18563

Every member of a precinct board is guilty of a misdemeanor who, without the consent of a voter, discloses the name of any candidate the board member has discovered in his capacity as a member of the board to have been voted for by the voter.

ELECTIONS CODE SECTION 18564

Any person is guilty of a felony, punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for two, three, or four years who, before or during an election:

(a) Tampers with, interferes with, or attempts to interfere with, the correct operation of, or willfully damages in order to prevent the use of, any voting machine, voting device, voting system, vote tabulating device, or ballot tally software program source codes.

(b) Interferes or attempts to interfere with the secrecy of voting or ballot tally software program source codes.

(c) Knowingly, and without authorization, makes or has in his or her possession a key to a voting machine that has been adopted and will be used in elections in this state.

(d) Willfully substitutes or attempts to substitute forged or counterfeit ballot tally software program source codes.

ELECTIONS CODE SECTION 18564.5

(a) The Secretary of State, Attorney General, and any local elections official in the county in which the act occurs, may bring a civil action against an individual, business, or other legal entity that commits any of the following acts before, during, or after an election:

(1) Tamper, interferes, or attempts to interfere with the correct operation of, or willfully damages in order to prevent the use of, any voting machine, voting device, voting system, vote tabulating device, or ballot tally software.

(2) Interferes or attempts to interfere with the secrecy of voting or interferes or attempts to interfere with ballot tally software program source codes.

(3) Knowingly, and without authorization, gains access to or provides another person or persons with access to a voting machine for the purpose of committing one of the acts specified by this section.

(4) Willfully substitutes or attempts to substitute forged, counterfeit, or malicious ballot tally software program source codes.

(5) Knowingly, and without authorization, inserts or causes the insertion of uncertified hardware, software, or firmware, for whatever purpose, into any voting machine, voting device, voting system, vote tabulating device, or ballot tally software.

(6) Fails to notify the Secretary of State prior to any change in hardware, software, or firmware to a voting machine, voting device, voting system, or vote tabulating device, certified or conditionally certified for use in this state.

(b) A civil action may be brought pursuant to this section for a civil penalty not to exceed fifty thousand dollars (\$50,000) for each act and for injunctive relief, if appropriate.

ELECTIONS CODE SECTION 18565

Any person who aids or abets in the commission of any of the offenses described in Section 18564 is punishable by imprisonment in the county jail for a period of six months or in the state prison for 16 months or two or three years.

ELECTIONS CODE SECTION 18566

Every person is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for two, three, or four years who:

(a) Forges or counterfeits returns of an election purported to have been held at a precinct where no election was in fact held.

(b) Willfully substitutes forged or counterfeit returns of election in the place of true returns for a precinct where an election was actually held.

ELECTIONS CODE SECTION 18567

Every person who willfully adds to or subtracts from the votes actually cast at an election, in any official or unofficial returns, or who alters the returns, is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

ELECTIONS CODE SECTION 18568

Every person is punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years, or by both that fine and imprisonment, who:

- (a) Aids in changing or destroying any poll list or official ballot.
- (b) Aids in wrongfully placing any ballots in the ballot container or in taking any therefrom.
- (c) Adds or attempts to add any ballots to those legally polled at any election by fraudulently putting them into the ballot container, either before or after the ballots therein have been counted.
- (d) Adds to or mixes with, or attempts to add to or mix with, the ballots polled, any other ballots, while they are being counted or canvassed or at any other time, with intent to change the result of the election, or allows another to do so, when in the person's power to prevent it.
- (e) Carries away or destroys, attempts to carry away or destroy, or knowingly allows another to carry away or destroy, any poll list, ballot container, or ballots lawfully polled or who willfully detains, mutilates, or destroys any election returns.
- (f) Removes any unvoted ballots from the polling place before the completion of the ballot count.
- (g) Displays a container for the purpose of collecting ballots, with the intent to deceive a voter into casting a ballot in an unofficial ballot box. Evidence of intent to deceive may include using the word "official" on the container, or otherwise fashioning the container in a way that is likely to deceive a voter into believing that the container is an official collection box that has been approved by an elections official.
- (h) Directs or solicits a voter to place a ballot in a container prohibited by subdivision (g).

SEC. 9. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

ELECTIONS CODE SECTION 18569

Every person who aids or abets in the commission of any of the offenses mentioned in Section 18566, 18567, or 18568 is punishable by imprisonment in the county jail for the period of six months or in the state prison for 16 months or two or three years.

ELECTIONS CODE SECTION 18570

Every person is guilty of a misdemeanor who does any one of the following:

- (a) Removes or defaces any posted copy of the results of votes cast within the period of 48 hours from the official time fixed for the closing of the polls.
- (b) Delays delivery of or changes the copy of the result of votes cast that is to be delivered to the city or county elections official.

ELECTIONS CODE SECTION 18571

Any person acting on any counting board who refuses to obey any lawful order of the county elections official or his or her deputy is guilty of a misdemeanor, unless he or she is by his or her refusal guilty of a higher crime under the laws of this state.

ELECTIONS CODE SECTION 18572

Each counting board and its members are subject to the liabilities and penalties to which precinct boards or their members are subject where the votes and returns are counted at the precincts where they were polled.

ELECTIONS CODE SECTION 18573

Every person is guilty of a felony punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years who furnishes any voter wishing to vote, who cannot read, with a ballot, informing or giving that voter to understand that it contains a name written or printed thereon different from the name which is written or printed thereon, or defrauds any voter at any election by deceiving and causing him or her to vote for a different person for any office than he or she intended or desired to vote for.

ELECTIONS CODE SECTION 18573.5

(a) It is a misdemeanor for a person who is providing care or direct supervision to an elder in a state-licensed or state-subsidized facility or program to coerce or deceive the elder into voting for or against a candidate or measure contrary to the elder's intent or in the absence of any intent of the elder to cast a vote for or against that candidate or measure.

(b) For purposes of this section, "elder" has the same meaning as set forth in Section 15610.27 of the Welfare and Institutions Code.

(c) A violation of this section is punishable by imprisonment in a county jail not to exceed six months or by a fine not to exceed ten thousand dollars (\$10,000) per ballot containing a vote cast by the elder as a result of the coercion or deception or by both that imprisonment and fine.

(d) Nothing in this section shall preclude prosecution under any other provision.

ELECTIONS CODE SECTION 18574

Every person who, after being required by the precinct board at an election, refuses to be sworn or, being sworn, refuses to answer any pertinent questions propounded by the board touching the right of another to vote, is guilty of a misdemeanor.

ELECTIONS CODE SECTION 18575

Every person is guilty of a felony, and on conviction shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for two, three or four years, who at any election:

(a) Without first having been appointed and qualified, acts as an election officer.

(b) Not being an election officer, performs or discharges any of the duties of an election officer in regard to the handling, counting, or canvassing of any ballots.

ELECTIONS CODE SECTION 18576

Any person who willfully (a) interferes with the prompt delivery of a completed vote by mail ballot application, (b) retains a completed vote by mail ballot application, without the voter's authorization, for more than three days excluding weekends and state holidays, or by the deadline for return of vote by mail ballot applications, whichever is earlier, or (c) denies an applicant the right to return his or her own completed vote by mail ballot application to the local elections official having jurisdiction over the election, is guilty of a misdemeanor.

ELECTIONS CODE SECTION 18577

Any person having charge of a completed vote by mail ballot who willfully interferes or causes interference with its return to the local elections official having jurisdiction over the election is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months, by a fine not exceeding ten thousand dollars (\$10,000), or by both the fine and imprisonment.

ELECTIONS CODE SECTION 18578

Any person who applies for, or who votes or attempts to vote, a vote by mail ballot by fraudulently signing the name of a fictitious person, or of a regularly qualified voter, or of a person who is not qualified to vote, is guilty of a felony punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years, by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

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).
 - List available upon request at the County Clerk's office only.
- Observe all activities at the polls, 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 on Election Day.

Unofficial results are provided in the form of hard copy reports that are available throughout the night in the County Clerk's office and unofficial results 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.

Vote counts are not official until the completion of the Official Canvass.

Official Canvass

Elections Code Section 15300-15373

The Official Canvass shall commence on Thursday, November 10th and will 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. (EC 15372)

Upon completion of the Official Canvass, the County Clerk-Recorder shall produce a Certification of Results and Statement of the Vote. (EC 15374, 15375)

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.