

Candidate Guide

Introduction

This candidate guide is intended to be a general purpose resource for those seeking local offices in the **November 3, 2015, Consolidated District Election**. We have tried to make it as useful and accurate as possible, but it should not be relied upon in place of the Elections and/or Government Codes for statutory guidance.

Candidates and others interested in the process of running for office or getting a measure on the ballot should make use of online resources from the Secretary of State and Fair Political Practices Commission (FPPC):

www.sos.ca.gov The California Secretary of State's website is an excellent reference for candidates.

www.fppc.ca.gov Creating a campaign committee requires forms and some familiarity with the California Political Reform Act. The FPPC is the ultimate source for information for campaigns and committees.

California Codes can be accessed on the internet at:

www.leginfo.ca.gov/calaw.html

Available Board Seats

Candidates for school and special districts must be registered voters of the district and division where applicable.

The following offices are scheduled for election on November 3, 2015:

NAME OF DISTRICT	NUMBER TO BE ELECTED	LENGTH OF TERM
SCHOOL DISTRICTS		
Arcata School	2	4 years
Big Lagoon School	2	4 years
Big Lagoon School	2	2 years
Blue Lake Union School	2	4 years
Bridgeville School	2	4 years
Bridgeville School	2	2 years
Cuddeback Union School	2	4 years
Cutten School	2	4 years
Fieldbrook School	2	4 years
Fortuna Elementary School		
Division F	1	4 years
Division R	1	4 years
At large	1	4 years
Freshwater School	2	4 years
Garfield School	1	4 years
Garfield School	1	2 years
Greenpoint School	2	4 years
Hydesville School	2	4 years
Hydesville School	1	2 years
Jacoby Creek School	2	4 years
Kneeland School	1	4 years
Kneeland School	1	2 years
Loleta Union School	3	4 years
Loleta Union School	1	2 years
Maple Creek School	1	4 years
McKinleyville Union School	2	4 years
McKinleyville Union School	2	2 years
Orick School	3	4 years
Pacific Union School	2	4 years
Pacific Union School	2	2 years
Peninsula Union School	3	4 years
Rio Dell School	2	4 years
Rio Dell School	1	2 years
Scotia Union School	3	4 years
South Bay Union School	2	4 years
South Bay Union School	2	2 years
Trinidad Union School	2	4 years
Trinidad Union School	1	2 years

<u>NAME OF DISTRICT</u>	<u>NUMBER TO BE ELECTED</u>	<u>LENGTH OF TERM</u>
Eureka City Schools		
Trustee Area Two	1	4 years
Trustee Area Four	1	4 years
Ferndale Unified School	2	4 years
Mattole Unified School	2	4 years
Klamath Trinity Joint Unified		
Trustee Area Two	1	4 years
Trustee Area Four	1	4 years
Trustee Area Seven	1	4 years
Southern Humboldt Joint Unified	3	4 years
Fortuna Union High School	2	4 years
Fortuna Union High School	1	2 years
North Humboldt Union High School	2	4 years
County Board of Education		
Trustee Area Two	1	4 years
Trustee Area Four	1	4 years
Trustee Area Five	1	4 years
Redwood Community College		
Trustee Area Four	1	4 years
Trustee Area Five	1	4 years
Trustee Area Six	1	4 years
Trustee Area Seven	1	4 years

There are no filing fees associated with county school district board offices.

No registered voter may file candidacy papers for more than one school district, including the County Board of Education, at the same election. (Election Code § 10603)

Declaration of candidacy forms are available and are to be filled out and filed at the:

Humboldt County Office of Elections
3033 H Street, Rm 20
Eureka, California

Except as provided by Elections Code §8028(b), declaration of candidacy forms may not be removed from the elections office.

Declaration of candidacy forms are available beginning July 13, 2015, and must be filed with the county elections office no later than 5:00 p.m. on August 7, 2015. If a declaration of candidacy form from an incumbent is not filed by 5:00 p.m. on August 7, 2015, any qualified voter, other than the incumbent, shall have until 5:00 p.m. on August 12, 2015, to file a declaration of candidacy.

NAME OF DISTRICT	NUMBER TO BE ELECTED	LENGTH OF TERM
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SPECIAL DISTRICTS

Big Lagoon Community Services	2	4 years
Big Lagoon Community Services	1	2 years
Briceland Community Services	2	4 years
Briceland Community Services	1	2 years
Carlotta Community Services	3	4 years
Carlotta Community Services	1	2 years
Fieldbrook Glendale Community Services	2	4 years
Humboldt Community Services	3	4 years
Humboldt Community Services	1	2 years
Loleta Community Services	3	4 years
Loleta Community Services	1	2 years
Manila Community Services	3	4 years
McKinleyville Community Services	2	4 years
Miranda Community Services	3	4 years
Miranda Community Services	1	2 years
Orick Community Services	3	4 years
Orick Community Services	1	2 years
Orleans Community Services	2	4 years
Palmer Creek Community Services	2	4 years
Palmer Creek Community Services	1	2 years
Patrick Creek Community Services	2	4 years
Phillipsville Community Services	3	4 years
Redway Community Services	3	4 years
Riverside Community Services	2	4 years
Scotia Community Services	2	4 years
Weott Community Services	2	4 years
Weott Community Services	1	2 years
Westhaven Community Services	3	4 years
Willow Creek Community Services	3	4 years
Arcata Fire Protection		
Division One	1	4 years
Division Three	1	4 years
Blue Lake Fire Protection	3	4 years
Blue Lake Fire Protection	1	2 years
Briceland Fire Protection	2	4 years
Bridgeville Fire Protection	2	4 years
Ferndale Fire Protection	3	4 years
Garberville Fire Protection	2	4 years
Humboldt No. 1 Fire Protection	3	4 years
Humboldt No. 1 Fire Protection	1	2 years
Kneeland Fire Protection	2	4 years
Kneeland Fire Protection	2	2 years
Myers Flat Fire Protection	1	4 years

<u>NAME OF DISTRICT</u>	<u>NUMBER TO BE ELECTED</u>	<u>LENGTH OF TERM</u>
Petrolia Fire Protection	2	4 years
Redway Fire Protection	1	4 years
Redway Fire Protection	2	2 years
Rio Dell Fire Protection	3	4 years
Samoa Peninsula Fire Protection	3	4 years
Telegraph Ridge Fire Protection	3	4 years
Willow Creek Fire Protection	2	4 years
Garberville Sanitary	2	4 years
Garberville Sanitary	2	2 years
Alderpoint County Water	3	4 years
Alderpoint County Water	1	2 years
Hydesville County Water	3	4 years
Jacoby Creek County Water	2	4 years
North Humboldt Park and Recreation	3	4 years
North Humboldt Park and Recreation	1	2 years
Resort Improvement District No 1	3	4 years
Humboldt Bay Harbor Recreation & Conservation		
Division One	1	4 years
Division Two	1	4 years
Division Five	1	4 years

There are no filing fees associated with county special district board offices.

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Humboldt County Office of Elections
3033 H Street, Rm 20
Eureka, California

Except as provided by Elections Code §8028(b), declaration of candidacy forms may not be removed from the elections office.

Declaration of candidacy forms are available beginning July 13, 2015, and must be filed with the county elections office no later than 5:00 p.m. on August 7, 2015. If a declaration of candidacy form from an incumbent is not filed by 5:00 p.m. on August 7, 2015, any qualified voter, other than the incumbent, shall have until 5:00 p.m. on August 12, 2015, to file a declaration of candidacy.

Candidate Statement Guidelines

Special Districts

Elections Code § 13307-13309

Each candidate for local, nonpartisan elective office may prepare a candidate's statement on an appropriate form provided by the County Office of Elections. The statement may include the name, age and occupation of the candidate and a brief description of **no more than 200 words** (unless the Office of Elections is notified by a special district otherwise) of the candidate's education and qualifications.

The statement **shall not** include any of the following:

- Party affiliation of the candidate
- Membership activity in partisan political organizations
- Reference to other candidates for office or to another candidate's qualifications
- Typographic accents, such as:

Underlining

Bold Lettering

ALL CAPS

Italics

- Bullets

Candidate statements must be filed by the close of the nomination period which is August 7, 2015, at 5:00 p.m. (If an incumbent fails to file a declaration of candidacy for that race, the deadline is extended until August 12, 2015, at 5:00 p.m.). The statement may be **withdrawn, but not changed**, during the nomination period and until 5:00 p.m. of the next working day after the close of the nomination period.

The candidate statement should be typed in the format provided by the Office of Elections. **Handwritten statements will not be accepted for publication.** If you submit your statement on a CD or DVD, using Microsoft Word format, you will be charged \$50 less. Attach a printed copy of your statement to the form provided and submit it with the CD or DVD. **The electronic and hard copies must match. Proofread your statement carefully BEFORE submitting it. Statements will be printed as submitted.** Errors in spelling, punctuation, grammar, or intent **WILL NOT BE CORRECTED** by the Office of Elections. If the electronic and hard copies do not match, the Office of Elections will choose the version to be printed.

Candidate statements **remain confidential until the expiration of the filing deadline** (EC §13311). Once the filing deadline has passed, there will be a ten day public examination period of all candidate statements prior to submittal for printing in the Voter Information Guide and Sample Ballot Booklet (EC §13313). During this period, the elections official, or any voter of the jurisdiction in which the election is being held, may seek a writ of mandate or an injunction requiring any or all of the material in the candidate statements to be amended or deleted.

The Office of Elections estimates the total cost of printing and handling the candidate statement, and requires each candidate filing a statement to pay at the time of submission. If more than one candidate files a candidate's statement for the same office, the cost will be shared among the candidates. A candidate may pay in one of two ways. He/she may pay the full amount by check and receive any refund within 30 days of the financial reconciliation of the election. Or he/she may submit a check that stipulates that the amount of the check shall not exceed the full amount. Once the actual number of candidates in each race is determined, the candidates will be notified of the adjusted amount and the check will be completed in that amount and deposited.

Humboldt County Sample Ballot Booklet
 Cost Breakdown for Candidate Statement of Qualifications
 NOVEMBER 3, 2015 CONSOLIDATED DISTRICT ELECTION

Candidates have the option of placing a statement of qualifications in the sample ballot sent to households of voters registered in the county.

**SCHOOL
DISTRICTS**

	One Candidate	Two Candidates	Three Candidates	Four Candidates
Arcata School District	\$573	\$349	\$274	\$237
Big Lagoon Union School District	\$142	\$134	\$131	\$129
Blue Lake Union School District	\$209	\$167	\$153	\$146
Bridgeville School District	\$143	\$134	\$131	\$130
Cuddeback Union School District	\$152	\$138	\$134	\$132
Cutten School District	\$288	\$207	\$179	\$166
Fieldbrook School District	\$160	\$143	\$137	\$134
Fortuna Elementary School District	\$498	\$311	\$249	\$218
Freshwater School District	\$210	\$168	\$153	\$146
Garfield School District	\$138	\$132	\$129	\$128
Greenpoint School District	\$131	\$128	\$127	\$127
Hydesville School District	\$168	\$146	\$139	\$136
Jacoby Creek School District	\$227	\$176	\$159	\$151
Kneeland School District	\$138	\$132	\$129	\$128
Loleta Union School District	\$166	\$146	\$139	\$135
Maple Creek School District	\$127	\$126	\$126	\$126
McKinleyville Union School District	\$593	\$359	\$281	\$242
Orick School District	\$136	\$130	\$129	\$128
Pacific Union School District	\$286	\$205	\$179	\$165
Peninsula Union School District	\$137	\$131	\$129	\$128
Rio Dell School District	\$218	\$171	\$156	\$148
Scotia Union School District	\$152	\$138	\$134	\$132
South Bay Union School District	\$325	\$225	\$192	\$175
Trinidad Union School District	\$198	\$162	\$149	\$143
Eureka Unified School District	\$1,562	\$844	\$604	\$484
Ferndale Unified School District	\$218	\$171	\$156	\$148
Mattole Unified School District	\$146	\$135	\$132	\$130
Fortuna Union High School District	\$746	\$436	\$332	\$280
Northern Humboldt Union High School	\$1,440	\$783	\$563	\$454
So. Trinity Jt. Unified School District	\$129	\$127	\$126	\$126
Klamath Trinity Jt. Unified School District	\$257	\$191	\$169	\$158
So Humboldt Jt. Unified School District	\$383	\$254	\$211	\$190
Humboldt County Board of Education				
Trustee Area 2	\$885	\$505	\$378	\$315
Trustee Area 5	\$919	\$522	\$390	\$324

Fire Protection Districts	One Candidate	Two Candidates	Three Candidates	Four Candidates
Kneeland Fire Protection District	\$148	\$137	\$133	\$131
Myers Flat Fire Protection District	\$129	\$127	\$126	\$126
Petrolia Fire Protection District	\$135	\$130	\$128	\$127
Redway Fire Protection District	\$162	\$143	\$137	\$134
Rio Dell Fire Protection District	\$218	\$171	\$156	\$148
Samoa Peninsula Fire Protection District	\$136	\$130	\$129	\$128
Telegraph Ridge Fire Protection District	\$134	\$129	\$128	\$127
Willow Creek Fire Protection District	\$170	\$148	\$140	\$136
Sanitary Districts				
Garberville Sanitary District	\$146	\$135	\$132	\$130
County Water Districts				
Alderpoint County Water District	\$129	\$127	\$126	\$126
Hydesville County Water District	\$160	\$143	\$137	\$134
Jacoby Creek County Water District	\$171	\$148	\$140	\$137
Humboldt Bay Harbor District				
Division 1	\$909	\$517	\$386	\$321
Division 2	\$953	\$539	\$401	\$332
Division 5	\$963	\$544	\$404	\$334
Other				
Resort Improvement District No. 1	\$144	\$135	\$48	\$130
North Humboldt Park & Recreation	\$807	\$466	\$269	\$295

Add \$50.00 if the candidate statement is NOT ON DISK.

Campaign Financial Statements

Filing Schedule for Candidates/Committees

**Consolidated District Election
November 3, 2015**

STATEMENT	PERIOD COVERED	FILING DEADLINE
Semi-Annual Form 460 (if required) or Form 470	through 6/30/2015	July 31, 2015
Pre-Election Form 460	7/1/2015 – 9/19/2015	September 24, 2015
Late Contribution/ Independent Expenditure Report Form 496 or 497	8/5/2015 – 11/2/2015	Within 24 Hours
Pre-Election Form 460	9/20/2015 – 10/17/2015	October 22, 2015
Semi-Annual Form 460	through 12/31/2015	February 1, 2016

All persons who seek local elective offices must file campaign statements. A manual is available from the Fair Political Practices Commission for candidates and committees which explains the various filing obligations. The contact information for the FPPC is:

FPPC

428 J Street, Suite 620
 Sacramento, CA 95814
 (866) 275-3772 (advice)
 advice@fppc.ca.gov
www.fppc.ca.gov

Candidates for county offices file with:
Humboldt County Office of Elections
 3033 H Street, Room 20
 Eureka, CA 95501
 (707) 445-7481
<http://www.humboldt.gov/elections>

SUMMARY OF FINANCIAL FORMS

Form 501: Candidate Intention. A candidate for state or local office must file this form for each election, including reelection to the same office.

File the Form 501 before you solicit or receive any contributions or before you make expenditures from personal funds on behalf of your candidacy. This form is considered filed the date it is postmarked or hand delivered.

A separate campaign bank account must be established including campaigns that are self-funded by the candidate. Exception: A bank account is not required if a candidate will not receive contributions or make personal expenditures of less than \$1,000. The filing and statement of qualification fees are not included in calculating the \$1,000.

Form 410: Statement of Organization. File this form within 10 days of receiving \$1,000 in contributions. Include a \$50 payment made payable to the Secretary of State. Thereafter, the \$50 fee is due annually no later than January 15. In addition to the \$50 fee, a penalty of \$150 may be assessed if payment is late.

For early submissions, mark the “not yet qualified” box. The \$50 fee is requested at this time but is not legally required until the group qualifies as a committee.

The committee’s FPPC ID number will be posted at www.sos.ca.gov. Read instructions carefully as a Form 410 will be rejected if all applicable sections are not completed. All committees must now disclose the financial institution and bank account number used by the committee.

Form 460: Recipient Committee Campaign Statement. For use by **ALL** recipient committees, including candidates, officeholders, and their controlled committees who raise or spend \$1,000 or more during the calendar year at the behest of the officeholder or candidate. This form is used for the pre-election and semi-annual disclosure statements, among other things.

Form 465: Supplemental Independent Expenditure Report. Committees that make independent expenditures of \$1000 or more to another candidate or measure file this report.

Prohibition on Candidate Independent Expenditures: A candidate controlled committee may not make independent expenditures to support or oppose candidates and may not contribute to another committee for the purpose of making independent expenditures to support or oppose other candidates.

Form 470: Candidate and Officeholder Campaign Statement – Short Form. Candidates and officeholders who spend less than \$1,000 for the calendar year file Form 470. If Form 470 is filed with the declaration of candidacy, or before the first pre-

election filing deadline, no additional campaign statement needs to be filed in connection with the election so long as total receipts and expenditures remain less than \$1,000.

Form 496: Independent Expenditure Report. Independent expenditures that total in the aggregate **\$1,000 or more** to support or oppose a **single candidate for elective local office or a single local ballot measure** must be reported as 24-hour independent expenditures during the 90 days immediately preceding the election in which the candidate or measure will be voted on.

File Form 496 within 24 hours of making the independent expenditure(s) with the filing officer(s) who would receive your campaign statements if you were a committee primarily formed to support or oppose the candidate or ballot measure. File Form 496 by fax, guaranteed overnight delivery, or personal delivery. **Regular mail may not be used.** A local ordinance also may require this form to be filed electronically.

An “independent expenditure” is an expenditure made in connection with a communication (e.g., a billboard, advertisement, mailing) that expressly advocates the nomination, election, or defeat of a clearly identified candidate or the qualification, passage, or defeat of a clearly identified measure. An independent expenditure is a payment that is not made to—or at the behest of—the affected candidate or committee.

Candidates: This form is not required for expenditures supporting your election that are made from your committee, including expenditures opposing an opponent. In addition, campaign funds of a candidate or officeholder may not be used to make independent expenditures to support or oppose candidates in other elections.

Form 497: Late Contribution Report. A late contribution is a monetary or non-monetary contribution, including a loan that totals \$1,000 or more from a single source that is made to or received by a candidate, a controlled committee, or ballot measure committee during the 90 days before the election. This must be filed by personal delivery, guaranteed overnight mail, fax or telegram within 24 hours. Regular mail may not be used.

Filing Locations

Humboldt County Office of Elections

3033 H Street, Room 20
Eureka, CA 95501
(707) 445-7481
FAX (707) 445-7241

Secretary of State

Political Reform Division
1500 11th Street, Rm 495
Sacramento, CA 95814
(916) 653-6224

**For Questions or to Access
Forms On-Line Contact:
Fair Political Practices Commission (FPPC)**
428 J Street, Suite 620
Sacramento, CA 95814
(916) 322-5560
Advice Line: (866) 275-3772

www.fppc.ca.gov

**Statements of Economic Interests
Form 700**

Effective January 1, 2008, **ALL** candidates are required to file a Statement of Economic Interests (FPPC Form 700) with the county elections office where they file their declaration of candidacy, due to the passage of Senate Bill 512. These forms are due no later than the final filing date for the declaration of candidacy.

Form 700 is part of the declaration of candidacy packet that is available at the Office of Elections. It can also be found, along with complete instructions, online at www.fppc.ca.gov

Humboldt County Campaign Finance Ordinance

TITLE II - ADMINISTRATION

DIVISION 18

CAMPAIGN FINANCE

Chapter 1 - Application and Administration

- § 2181-1. Intent and purpose.
- § 2181-2. Relation to Political Reform Act of 1974.
- § 2181-3. Definitions.
- § 2181-4. Contribution limitations.
- § 2181-5. Outstanding debt retirement and reporting.
- § 2181-6. Election cycles.
- § 2181-7. Aggregation of contributions.
- § 2181-8. Multiple campaign committees.
- § 2181-9. Loans to county candidates and their controlled committees.
- § 2181-10. Funds, property, goods or services received by officials treated as contributions.
- § 2181-11. Disclosure requirements.
- § 2181-12. Reporting of cumulative contributions.
- § 2181-13. Reporting of late contributions.
- § 2181-14. Notice of independent expenditures.
- § 2181-15. Enforcement of chapter.160

TITLE II - ADMINISTRATION

DIVISION 18

CAMPAIGN FINANCE

2181-1. INTENT AND PURPOSE.

The purpose of this chapter is to ensure that the financial strength of certain individuals or organizations does not permit them to exercise a disproportionate or controlling influence on the election of Humboldt County candidates. To achieve such purpose, this chapter is designed to reduce the influence of large contributions, to ensure that individuals and interest groups continue to have a fair and equal opportunity to participate in electing county candidates, and to maintain public trust in governmental institutions and the electoral process.

(Ord. 2520, § 1, 10/14/2014)

2181-2. RELATION TO POLITICAL REFORM ACT OF 1974.

This chapter is intended to supplement the Political Reform Act of 1974. Unless a word or term is specifically defined in this chapter, or the contrary is stated or clearly appears from the context, words and terms used herein shall have the same meaning as defined or used in Title 9 of the California Government Code, in which the Political Reform Act of 1974 is codified, and as supplemented by the Regulations of the Fair Political Practices Commission as set forth in Title 2, Division 6 of the California Code of Regulation, as the same may be, from time to time, amended. (Ord. 2520, § 1, 10/14/2014)

2181-3. DEFINITIONS.

(a) "County candidate" means any person who is a candidate for supervisor, assessor, auditor-controller, county clerk-recorder, coroner-public administrator, treasurer-tax collector, district attorney, sheriff, or is an elective county officer whether or not that elective county officer is a candidate for reelection. (Ord. 2520, § 1, 10/14/2014)

(b) "County election" means any primary election, general (runoff) election, special election or recall election. (Ord. 2520, § 1, 10/14/2014)

(c) "County office" means the office of county supervisor, assessor, auditor-controller, county clerk-recorder, coroner-public administrator, treasurer-tax collector, district attorney, and sheriff. (Ord. 2520, § 1, 10/14/2014)

(d) "Election cycle" means the applicable period as set forth in Section 2181-3 of this chapter. (Ord. 2520, § 1, 10/14/2014)

(e) "Elective county officer" means any person who is a member of the board of supervisors, or is the assessor, auditor-controller, county clerk-recorder, coroner-public administrator, treasurer-tax collector, district attorney, sheriff, whether appointed or elected. (Ord. 2520, § 1, 10/14/2014)

(f) "Indebted former candidate" means a person, other than an elective county officer, who was a candidate for a county office at any county election and who has campaign debt remaining from such election after expiration of the election cycle for the county office for which he or she was a candidate. (Ord. 2520, § 1, 10/14/2014)

(g) "Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, committee, and any other organization or group of persons acting in concert. (Ord. 2520, § 1, 10/14/2014)

2181-4. CONTRIBUTION LIMITATIONS.

(a) County Candidates. Except as otherwise provided in this section, no person shall make, and no county candidate or treasurer of any controlled committee of any county candidate shall solicit or accept, any contributions which would cause the total amount contributed by such person to such candidate or to his or her controlled committee, to exceed one thousand five hundred dollars (\$1,500.00) during any election cycle for any county office. No contributions shall be accepted by any candidate before the beginning of the election cycle related to the election for which the person is a candidate. Contributions accepted for

campaign expenses and for officeholder expenses shall be aggregated for purposes of the limitation set forth in this section. (Ord. 2520, § 1, 10/14/2014)

(b) Elective County Officers With Outstanding Debt From Prior Election. No person shall make, and no elective county officer, or treasurer of any controlled committee of any elective county officer, shall solicit or accept, any contributions for the purpose of retiring outstanding debt from a prior county election which would cause the total amount contributed by such person to such elective county officer or to his or her controlled committee, to exceed one thousand five hundred dollars (\$1,500.00) for the election in which the outstanding debt was incurred, regardless of when the contribution(s) is made or received. This restriction shall not apply to indebted former candidates who are not elective county officers. (Ord. 2520, § 1, 10/14/2014)

(c) Recall Elections. The contribution limitations set forth in Section 2- 303(a) shall also apply to any committee which collects contributions for the purpose of making expenditures in support of or opposition to the recall of an elective county officer, and to contributions received by such elective county officer, during a recall election cycle as defined in Section 2181-6 of this chapter. (Ord. 2520, § 1, 10/14/2014)

(d) Candidate's Personal Funds. The provisions of this section shall not apply to a county candidate's contribution of his or her personal funds to his or her own controlled committee. Contributions by the spouse of a county candidate from such spouse's separate property shall be subject to the contribution limitations set forth in Section 2181-4(a). (Ord. 2520, § 1, 10/14/2014)

(e) Special Circumstances Permitting Increased Contribution Limits. In any election cycle where independent expenditures totaling more than ten thousand dollars (\$10,000.00) are made to support or oppose any candidate for county office, the one thousand five hundred dollars (\$1,500.00) limit imposed by this section shall be increased to five thousand dollars (\$5,000.00) for all candidates running for the same seat. In such an instance, no person shall make, and no county candidate, elective county officer or treasurer of any controlled committee of any county candidate or elective county officer shall solicit or accept, any contributions which would cause the total amount contributed by such person to such candidate or to his or her controlled committee, to exceed five thousand dollars (\$5,000.00). (Ord. 2520, § 1, 10/14/2014)

2181-5. OUTSTANDING DEBT RETIREMENT AND REPORTING.

(a) Any elective county officer or indebted former candidate, or any controlled committee of any such officer or candidate, accepting any contribution(s) for the purpose of retiring outstanding debt from a prior county election and required by state law to report such contributions on Schedule A of Fair Political Practices Commission Form 460 or any successor form thereto, shall, at the time required for the reporting of such contributions on Schedule A and in addition to any other reporting requirements under state law, clearly designate on said Schedule A which contributions were received for the purpose of retiring outstanding debt and for which prior county election such contributions were received. (Ord. 2520, § 1, 10/14/2014)

(b) Any contribution accepted for the purpose of retiring outstanding debt from a prior county election shall be applied to reduce or retire said outstanding debt in the same reporting period in which such contribution was accepted. The application of any contribution to retire outstanding debt from a prior county election (i.e., repayment of outstanding loans and payment of accrued expenses) shall be itemized and identified on the appropriate schedules and on the Summary Page of Form 460, or any successor form thereto, provided by the Fair Political Practices Commission. (Ord. 2520, § 1, 10/14/2014)

(c) No elective county officer or indebted former candidate, or any controlled committee of any such officer or candidate, shall use any contributions received for the purpose of retiring outstanding debt from a prior county election for any purpose other than for the retirement of outstanding debt remaining from the

prior county election for which such contribution was received. (Ord. 2520, § 1, 10/14/2014)

2181-6. ELECTION CYCLES.

(a) Primary Elections. For purposes of any primary election for any county office, the term "election cycle" as used in this chapter shall mean the period commencing on the day after a primary election for such county office, and ending on the day of the next primary election for the same county office. In the event there is a runoff election, the primary "election cycle" for the next primary election shall commence on the day after the runoff election and end on the day of the next primary election for the same county office. Notwithstanding the preceding sentences, following a special election for any county office, the "election cycle" for the next primary election for said county office shall commence on the day following said special election and shall end on the day of the next primary election for the same county office. (Ord. 2520, § 1, 10/14/2014)

(b) General (Runoff) Elections. For purposes of any runoff election for any county office, the term "election cycle" as used in this chapter shall mean the period commencing on the day after the primary election for such county office and ending on the day of the runoff election. (Ord. 2520, § 1, 10/14/2014)

(c) Special Elections. For purposes of any special election for any county office, the term "election cycle" as used in this chapter shall mean the period commencing on the date a special election is called by the board of supervisors and ending on the day of the special election. (Ord. 2520, § 1, 10/14/2014)

(d) Recall Elections. For purposes of any recall election of any elective county officer, the term "election cycle" as used in this chapter shall mean the period commencing on either the date a committee is formed pursuant to the Political Reform Act in support of a recall election or the date the county registrar of voters approves a recall petition for circulation and gathering of signatures, whichever occurs earlier, and ending on the day the first of the following events occur: (Ord. 2520, § 1, 10/14/2014)

(1) The time provided by law for the gathering of signatures on recall petitions expires without sufficient recall petition signatures having been filed with the county registrar of voters to require a recall election; (Ord. 2520, § 1, 10/14/2014)

(2) All committees formed in support of the recall have been terminated pursuant to the provisions of the Political Reform Act; (Ord. 2520, § 1, 10/14/2014)

(3) The date the recall election is held. (Ord. 2520, § 1, 10/14/2014)

2181-7. AGGREGATION OF CONTRIBUTIONS.

For purposes of the contribution limitations contained in this chapter, the following provisions shall apply: (Ord. 2520, § 1, 10/14/2014)

(a) All contributions made by a sponsored committee to a county candidate or to an elective county officer (or to a committee controlled by such candidate or officer) shall be combined with those contributions made during the same election cycle by the sponsor(s) of the committee. Consistent with the definition and use of the terms "sponsored committee" and "sponsor" in the Political Reform Act, the term "sponsor" shall not include individuals. (Ord. 2520, § 1, 10/14/2014)

(b) Contributions received from the following combinations of individuals and entities must be aggregated to determine the cumulative amount of contributions received from a contributor: (Ord. 2520, § 1, 10/14/2014)

(1) Contributions from an individual who makes contributions from personal funds and who also has sole authority to direct and control contributions made from other funds; (Ord. 2520, § 1, 10/14/2014)

(2) Contributions from business entities in a parent-subsidary relationship and business entities with the same controlling owner (more than fifty percent (50%)), unless the entities act completely independently in their decisions to make contributions; (Ord. 2520, § 1, 10/14/2014)

(3) Contributions from any number of entities or committees if the same person or a majority of the same persons in fact directs and controls the contributions each entity makes. This subdivision shall not apply to treasurers of committees if these treasurers do not participate in or control in any way a decision on whether the candidate or candidates received contributions. (Ord. 2520, § 1, 10/14/2014)

(c) Contributions by a married person shall be treated as the separate contributions of such person and shall not be aggregated with any contributions of the spouse of such person. (Ord. 2520, § 1, 10/14/2014)

(d) Contributions by children under eighteen (18) years of age shall be treated as contributions by their parent(s) or legal guardian(s), one-half to each parent or guardian unless only one (1) parent or guardian has legal custody of such child in which event any such contributions shall be attributed solely to the custodial parent. (Ord. 2520, § 1, 10/14/2014)

2181-8. MULTIPLE CAMPAIGN COMMITTEES.

(a) A county candidate shall have no more than one (1) controlled committee for each county office for which such individual is a candidate or is an elective county officer and such controlled committee shall have only one (1) bank account out of which all qualified campaign and officeholder expenses related to that county office shall be made. (Ord. 2520, § 1, 10/14/2014)

(b) This section does not prevent a county candidate or an elective county officer from establishing another controlled committee solely for the purpose of running for a state, federal, city or other elective county office, or for opposing his or her recall. (Ord. 2520, § 1, 10/14/2014)

2181-9. LOANS TO COUNTY CANDIDATES AND THEIR CONTROLLED COMMITTEES.

(a) A loan shall be considered a contribution from the maker and the guarantor of the loan and shall be subject to the contribution limitations of this chapter. (Ord. 2520, § 1, 10/14/2014)

(b) The proceeds of a loan made to a county candidate by a commercial lending institution in the regular course of business on the same terms available to members of the public shall not be subject to the contribution limitations of this chapter if the loan is made directly to the candidate. The guarantors of such a loan shall remain subject to the contribution limits of this chapter. (Ord. 2520, § 1, 10/14/2014)

(c) Extensions of credit (other than loans pursuant to Section 2-308(b)) for a period of more than thirty (30) days are subject to the contribution limitations of this chapter. (Ord. 2520, § 1, 10/14/2014)

(d) This section shall apply only to loans and extensions of credit used or intended for use for campaign purposes or which are otherwise connected with the holding of public office. (Ord. 2520, § 1, 10/14/2014)

2181-10. FUNDS, PROPERTY, GOODS OR SERVICES RECEIVED BY OFFICIALS TREATED AS CONTRIBUTIONS.

Any funds, property, goods or services, other than government funds, received by elective county officers which are used, or intended by the donor or by the recipient to be used, for expenses (including legal expenses) related to holding public office, shall be considered campaign contributions and shall be subject to the contribution limitation of Section 2181-4. Reimbursement for travel expenses related to holding public office shall be excluded from the provisions of this section. (Ord. 2520, § 1, 10/14/2014)

2181-11. DISCLOSURE REQUIREMENTS.

(a) Disclosure of name, address, and occupation and employer of contributor. If either the name, address, occupation and employer of an individual contributor (or if such individual is self-employed, the name of the business, if any, under which the individual is operating) is not on file in the records of the recipient of the contribution by the end of the reporting period in which the contribution was accepted, the contribution shall then be returned to the individual, or to the county's general fund, by the end of that reporting period. Notwithstanding

the above, if a contribution does not designate the requisite information, the candidate or the candidate's committee may hold the contribution without returning it or depositing it into a campaign account for a period of up to fourteen (14) days while the requisite information is obtained.

The required information shall be reported on Schedule A of Form 460, or any successor form thereto, as prepared by the Fair Political Practices Commission. Both the receipt and return of any such contribution shall be disclosed on the appropriate schedules of Form 460, or any successor form thereto, as prepared by the Fair Political Practices Commission. (Ord. 2520, § 1, 10/14/2014)

(b) Disclosure of Major Contributors. Any mailing financially supported by an independent expenditure committee shall indicate on the envelope containing the mailing, and on the mailing itself, the name of the committee, and the names of the top three financial contributors to the committee at the time the mailing is being prepared. This required disclosure shall be in substantially the following form: "This information is provided by [Name of Independent Expenditure Committee] and has been supported by [names of top three contributors]." (Ord. 2520, § 1, 10/14/2014)

2181-12. REPORTING OF CUMULATIVE CONTRIBUTIONS.

Contributions received from any contributor during a reporting period which have a cumulative total of one hundred dollars (\$100.00) or more when added to all other contributions received from such contributor during the same election cycle shall be itemized and reported, both as to individual contribution amounts received during the reporting period and the total cumulative amount received during the election cycle. Such amounts shall be reported on Schedule A of Form 460 or any successor form thereto, as prepared by the Fair Political Practices Commission, if the candidate or controlled committee is required to use such form, or shall be reported on a separate schedule appended to the required campaign statement. The term election cycle as used in this section shall mean the period described in Section 2181-6. (Ord. 2520, § 1, 10/14/2014)

2181-13. REPORTING OF LATE CONTRIBUTIONS.

Any contribution(s) of five hundred dollars (\$500.00) or more, including contributions aggregated pursuant to Section 2181-7, that are made to or received by a county candidate, his or her controlled committee or a committee formed or existing primarily to support or oppose a county candidate, shall be reported within twenty-four (24) hours if the contribution(s) were made or received before the date of the election at which the county candidate is to be voted on, but after the closing date of the last campaign statement required to be filed before the election. (Ord. 2520, § 1, 10/14/2014)

2181-14. NOTICE OF INDEPENDENT EXPENDITURES.

Any person who makes independent expenditures in support of or in opposition to any county candidate, which accumulate to one thousand dollars (\$1,000.00) or more during an election cycle shall notify the county registrar of voters and all candidates running for the same seat, by telegram, facsimile, or by any other electronic means accepted by the county registrar of voters, within twenty-four (24) hours each time such an expenditure is made. (Ord. 2520, § 1, 10/14/2014)

2181-15. ENFORCEMENT OF CHAPTER. (a) No Criminal Penalties. Notwithstanding any other provision of the Humboldt County Code, any violation of any provision of this chapter shall be enforceable solely as provided in this section. (Ord. 2520, § 1, 10/14/2014)

(b) Civil Liability. Any person who knowingly and willfully violates or otherwise fails to comply with any provision or requirement of this chapter shall be liable to the county of Humboldt in a sum not to exceed the following amount for each such violation: (Ord. 2520, § 1, 10/14/2014)

(1) For the making or accepting of any contribution in excess of the applicable contribution limits specified in this chapter, a sum equal to three (3) times the amount by which the contribution exceeds the applicable contribution limit, or

the sum of twenty-five hundred dollars (\$2,500.00), whichever is greater, for each violation. (Ord. 2520, § 1, 10/14/2014)

(2) For any other violation of this chapter, the sum of five hundred dollars (\$500.00) for each violation. (Ord. 2520, § 1, 10/14/2014)

(c) Right to Cure Unknowing Violation. In the event a candidate accepts a contribution and then becomes aware it is in violation of the contribution limit, that violation by the candidate may be excused, and will not be deemed "knowing and willful," if the candidate returns the contribution or contributes it to the county general fund within fourteen (14) days of becoming aware of the violation. (Ord. 2520, § 1, 10/14/2014)

(d) Debt Owing to County. Any amount due from any person pursuant to subsection (b) of this section shall be a debt due and owing upon demand to the general fund of the county of Humboldt. (Ord. 2520, § 1, 10/14/2014)

(e) Civil Action to Collect Debt and Obtain Other Relief. The district attorney of the county of Humboldt may file and prosecute a civil action in superior court, to recover any amount(s) due and owing to the county of Humboldt by any person pursuant to this section, or to enjoin any violation or otherwise compel compliance with the requirements of this chapter. In the event an allegation of violation of this chapter involves a candidate for district attorney, the matter shall be referred to the California Attorney General for investigation and enforcement. (Ord. 2520, § 1, 10/14/2014)

(f) Limitation of Actions. No civil action shall be brought under the provisions of this section unless said action is filed within two (2) years following the date of such violation. (Ord. 2520, § 1, 10/14/2014)

(g) Remedial Measures. If the district attorney determines or believes that any person (the target party) has violated any provision of this chapter, the district attorney may, at his or her sole discretion, advise the target party of remedial measures which may be taken by the target party to avoid possible civil action (the "remedial measures"). Such remedial measures may, but need not necessarily, include the payment of a civil fine to the county. Nothing contained herein shall be deemed to require the district attorney to offer remedial measures to any target party. In the event the target party is offered and timely performs such remedial measures to the satisfaction of the district attorney, the district attorney shall advise the target party (and any person who, in writing, informed or complained to the district attorney concerning any such violation), in writing, that the alleged violation has been resolved (the letter of resolution) and, in such event, no civil action shall thereafter be filed or maintained relating to such alleged violation of this chapter. (Ord. 2520, § 1, 10/14/2014)

Write-in Candidacy Special Districts

Elections Code § 8600 – 8606

Filing Period: September 7 – October 20 for November 2015 Election

Write-In Procedure

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 vote only for **qualified write-in candidates** who file the required forms with the Office of Elections no later than 14 days prior to Election Day. The Office of Elections will forward the forms to the Secretary of State in the case of offices that must be certified by the Secretary of State.

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

- A statement of write-in candidacy which shall contain the candidate's name, residence address, a declaration stating that he or she is a write-in candidate, the title of the office for which he or she is running, the date of the election, and the party nomination which he or she seeks, if running in a partisan primary election.

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.

Gov. Code 82007; Elections Code §305

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 §8606

The Office of Elections will provide polling places with a list of **qualified write-in candidates**.

Sample Ballot Designation Worksheet

As a candidate, you will be asked to fill out this form at the Office of Elections.

Pursuant to California Elections Code Section 13107.3 and Section 20711 of the California Code of Regulations, this entire form **must be completed**, or it will not be accepted and you will **not** be entitled to a ballot designation. **DO NOT LEAVE ANY RESPONSE SPACES BLANK.** If information requested is not applicable, please write N/A in the space provided. Otherwise the information **MUST** be provided. Upon filing, this worksheet will be a public record.

Candidate Name: _____

Office: _____

Home Address: _____ E-Mail: _____

Business Address: _____

Mailing Address: _____

Phone Number(s) Business: _____ Home/Mobile: _____ Fax: _____

Attorney Name (or other person authorized to act in your behalf): _____

Address: _____

Home Address: _____ E-Mail: _____

Business Address: _____

Mailing Address: _____

Phone Number(s) Business: _____ Home/Mobile: _____ Fax: _____

Proposed Ballot Designation: _____

1st Alternative: _____

2nd Alternative: _____

You may select as your ballot designation:

- (a) Your current principal profession(s), vocation(s), or occupation(s) [maximum total of three words, separated by a “/”]
- (b) The full title of the public office you currently occupy and to which you were elected
- (c) “Appointed [full title of public office]” if you currently serve by appointment in an elective public office and are seeking election to a different office
- (d) “Incumbent” if you were elected (or, if you are a Superior Court Judge, appointed) to your current public office and seek election to a new term

(e) "Appointed Incumbent" if you were appointed to your current elective public office (other than Superior Court Judge) and seek election to a new term

In the space provided on the next page or on an attachment sheet, describe why you believe you are entitled to use the proposed ballot designation. Attach any documents or exhibits that you believe support your proposed ballot designation. If using the title of an elective office, attach a copy of your certificate of election or appointment. These documents will not be returned to you. **Do not submit originals.**

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

Remember, it is your responsibility to justify your proposed ballot designation and to provide all requested details. For your reference, attached are Elections Code Sections 13107 and 13107.3, and 2 California Code of Regulations (CCR) Section 20711. You may also wish to consult Elections Code Section 11307.5 ("community volunteer") and 2 CCR Sections 20712 - 20719 (found at www.sos.ca.gov).

Justification for use of proposed ballot designation:

Current or Most Recent Job Title: _____ Start/End Dates: _____

Employer Name or Business: _____

Person(s) who can verify this information:

Name(s) _____ Phone Number: _____

E-Mail: _____

Name(s) _____ Phone Number: _____

E-Mail: _____

Before signing below, answer the following questions.

Does your proposed ballot designation:

- Use only a portion of the title of your current elected office? Yes No
- Use only the word "Incumbent" for an elective office (other than Superior Court Judge) to which you were appointed? Yes No
- Use more than three total words for your principal professions, vocations or occupations? Yes No
- Suggest an evaluation of you, such as outstanding, leading, expert, virtuous, or eminent? Yes No
- Refer to a status (Veteran, Activist, Founder, Scholar), rather than a profession, vocation or occupation? Yes No
- Abbreviate the word "retired"? Yes No

- Place the word “retired” after the words it modifies?
Example: Accountant, retired Yes No
- Use any word or prefix (except “retired”) such as "former" or "ex-" to refer to a former profession, vocation or occupation? Yes No
- Use the word “retired” along with a current profession, vocation, or occupation?
Example: Retired Firefighter/Teacher Yes No
- Use the name of a political party or political body? Yes No
- Refer to a racial, religious, or ethnic group? Yes No
- Refer to any activity prohibited by law? Yes No

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

Candidate’s Signature _____ Date _____

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

13107.

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

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

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

(3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

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

(b) Neither the Secretary of State nor any other elections official shall accept a designation of which any of the following would be true:

(1) It would mislead the voter.

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

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

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

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

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

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

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

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

(2) In the event the candidate fails to provide a designation that complies with subdivision (a) within the three-day period specified in paragraph (1), no designation shall appear after the candidate's name.

(d) No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (c) or as

provided in subdivision (e). The elections official shall maintain a copy of the ballot designation worksheet for each candidate that appears on the ballot in the county for the same period of time as applied to nomination documents pursuant to Section 17100.

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

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

13107.3.

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

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

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

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

13107.5.

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

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

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

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

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

For your reference, 2 CCR 20711 is reproduced below:

20711. *Ballot Designation Worksheet.*

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

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

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

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

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

“Residence” for voting purposes means a person’s domicile. 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. 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. (Added by Stats. 1994)

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. (Added by Stats. 1994)

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. (Added by Stats. 1994)

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. (Added by Stats. 1994)

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. (Added by Stats. 1994)

Elections Code §2024. Intention and fact or 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. (Added by Stats. 1994)

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 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. (Added by Stats. 1994)

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. (Added by Stats. 1994)

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. (Added by Stats. 1994)

Elections Code §2028. Place of family and business

If a person has a family fixed in one place, and he or she does business in another, the former is his or her place of domicile, but any person having a family, who has taken up an abode with the intention of remaining and whose family does not so reside with him or her, is a domiciliary where he or she has so taken up the abode. (Added by Stats. 1994)

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. (Added by Stats. 1994)

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. (Added by Stats. 1994)

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. (Added by Stats. 1994)

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. (Added by Stats. 1994)

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. (Added by Stats. 1994)

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. (Added by Stats. 1994)

Elections Code §2035. Voter residence change 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)

Incompatibility of Offices

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

There is no single statute that defines “incompatibility of offices”. The common law doctrine of incompatibility of offices, however, prevents an elected official from holding two offices simultaneously ***if the offices have overlapping and conflicting public duties***. The courts have defined this concept as follows: “One individual may not simultaneously hold two public offices where the functions of the offices concerned are inherently inconsistent, as where there are conflicting interests, or where the nature of the duties of the two offices is such as to render it improper due to considerations of public policy for one person to retain both.” The State of California Attorney General’s Office has issued many opinions of particular compatibility questions. Here are six examples of incompatible offices:

1. The offices of city councilman and school district board member where the city and the school district have territory in common;
2. fire chief of a county fire protection district and member of the board of supervisors of the same county;
3. high school district trustee and trustee of an elementary school district which is wholly within the geographic boundaries of the high school district;
4. water district director and a city council member;
5. county board of supervisors member and community college board member;
6. water district director and a school district trustee having territory in common;
7. deputy sheriff and county supervisor; and
8. county planning commissioner and county water district director.

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