

SANTA RITA HILLS COMMUNITY SERVICES DISTRICT  
SPECIAL ELECTION  
NOVEMBER 17, 2020

CANDIDATE FILING GUIDE



**JOSEPH E. HOLLAND**

COUNTY CLERK-RECORDER, ASSESSOR, AND  
REGISTRAR OF VOTERS

1 (800) SBC-VOTE

1 (800) 722-8683

[WWW.SBCVOTE.COM](http://WWW.SBCVOTE.COM)

## **NOTICE TO CANDIDATES AND COMMITTEES**

This guide has been prepared to provide important candidate related information for the Santa Rita Hills Community Services District Director offices coming to election at the November 17, 2020, Santa Rita Hills Community Services District Special Election. Qualifications, terms of office, proper filing authorities, and deadlines are outlined in the following pages. Prospective candidates' participation and compliance with the timelines and filing requirements are the keys to success in the candidate nomination process. This guide provides general information for candidates. It is intended to be a resource and is not legally sufficient. In case of conflict, the law, regulation, or rule will apply.

Candidates must meet the qualifications to hold the office. The Declaration of Candidacy, which each candidate must sign under penalty of perjury, states that the candidate meets the statutory and/or constitutional qualifications for office (including but not limited to: citizenship, residency, etc.).

While staff has attempted to be as informative as possible in compiling this information, and appreciate the opportunity to address questions not answered in the guide, the law prohibits employees from answering questions of a legal nature. This guide is not intended as a substitute for legal counsel. **The County of Santa Barbara Elections Office strongly urges prospective candidates to consult an attorney.**

For additional election-related information, please contact our office Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding holidays at **1 (800) SBC-VOTE** or **(805) 568-2200**.

## TABLE OF CONTENTS

ELECTION CONTACT INFORMATION.....	1
CANDIDATE FILING APPOINTMENTS.....	1
OFFICES TO BE FILLED.....	2
QUALIFICATIONS TO RUN AND HOLD OFFICE.....	2
INCOMPATIBILITY OF OFFICES.....	2
CALENDAR OF EVENTS.....	3-4
CANDIDATE FILING REQUIREMENTS.....	5-8
FILING CHECK LIST.....	9
CANDIDATE NAME ON BALLOT.....	10
BALLOT DESIGNATION.....	11-12
CANDIDATE STATEMENT OF QUALIFICATIONS.....	13-15
CAMPAIGN FINANCIAL DISCLOSURE.....	16-18
POLITICAL CAMPAIGN LAW AND REGULATIONS.....	19
REPORTING CAMPAIGN COMPLAINTS.....	20
WRITE-IN CANDIDATE FILING INFORMATION.....	21
APPENDIX I - BALLOT DESIGNATION WORKSHEET	
APPENDIX II - FPPC SCHEDULE AND FAQs	

### CODE REFERENCE KEY

<b>ELECTION CODE</b>	E.C.
<b>GOVERNMENT CODE</b>	G.C.

# ELECTION CONTACT INFORMATION

## COUNTY OF SANTA BARBARA - REGISTRAR OF VOTERS

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### Santa Barbara Elections Main Office

4440-A Calle Real  
Santa Barbara, CA 93110

### Mailing Address

P.O. Box 61510  
Santa Barbara, CA 93160-1510

Election information is also available at [www.sbcvote.com](http://www.sbcvote.com).

For further information or questions regarding this candidate filing guide, please call **(805) 568-2200** or toll free at **1 (800)-SBC-VOTE (1-800-722-8683)**.

## ADDITIONAL RESOURCES

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### State and Local Campaign Filing Information

Fair Political Practices Commission (FPPC)

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

(866) 275-3772

### State Franchise Tax Board

Elections

[www.ftb.ca.gov](http://www.ftb.ca.gov)

(800) 852-5711

## CANDIDATE FILING APPOINTMENTS

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Candidate Filing for the Santa Rita Hills Community Services District Special Election will only be available **by appointment only** at the **Santa Barbara Elections Division Main Office**. Appointments are available from 8:30 a.m. to 11:00 a.m. and 1:30 p.m. to 4:00 p.m. Monday through Friday, excluding holidays. To schedule an appointment call **(805) 696-8957** or email [candidatefiling@co.santa-barbara.ca.us](mailto:candidatefiling@co.santa-barbara.ca.us).

## VOTER, PRECINCT, AND DISTRICT DATA AND MAPS

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Voter Registration Data, Walking Lists, and/or Vote by Mail Extracts for candidates are available for purchase from the County of Santa Barbara Elections Office. All applicants must complete and submit an *Application to Purchase or Use Voter Registration Information*, which is subject to review prior to approval. The *Application to Purchase or Use Voter Registration Information* is available at the Santa Barbara Main Elections Office and Santa Maria Branch Elections Office, and online at: [www.sbcvote.com](http://www.sbcvote.com).

Precinct and District maps and reference reports are available online at: [www.sbcvote.com](http://www.sbcvote.com).

For additional information or questions regarding available voter, precinct, and district data, please call **(805) 696-8957**.

## CANDIDATE FILING PROOF LIST

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An unofficial candidate filing proof list is available at [www.sbcvote.com](http://www.sbcvote.com) for public review during the candidate filing period. This list contains the names and filing statuses for each candidate who are issued Nomination Documents. Following the close of the candidate filing period, an official candidate filing list will be posted containing the names of all qualified candidates.

## OFFICE TO BE FILED AND QUALIFICATIONS

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## OFFICES TO BE FILLED

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SANTA RITA HILLS COMMUNITY SERVICES DISTRICT			
OFFICE TITLE	INCUMBENT	NEW TERM BEGINS	TERM ENDING
Director	Vacant	December 4, 2020	December 2, 2022 and until a successor qualifies and takes office
Director	Vacant	December 4, 2020	December 6, 2024 and until a successor qualifies and takes office
Director	Martha "Marty" New	December 4, 2020	December 6, 2024 and until a successor qualifies and takes office

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## QUALIFICATIONS TO RUN AND HOLD OFFICE

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A Candidate **must** be:

- 18 years old and a citizen of the state at the time of his or her election or appointment;
- A registered voter of the district he or she is seeking election;
- Not convicted of designated crimes as specified in the Constitution and laws of the State; and,
- Not convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury or conspiracy to commit any of these crimes.

E.C. §201; G.C. §§ 1020, 1021, 24001, 61050, 61040

For purposes of this section, "conviction of a felony" includes a conviction of a felony in this state and a conviction under the laws of any other state, the United States, or any foreign government or country of a crime that, if committed in this state, would be a felony, and for which the person has not received a pardon from the Governor of this state, the governor or other officer authorized to grant pardons in another state, the President of the United States, or the officer of the foreign government or country authorized to grant pardons in that foreign jurisdiction.

E.C. §20

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## INCOMPATIBILITY OF OFFICES

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A person's legal right to hold more than one office at the same time is governed by the common law doctrine of incompatible offices. Government Code Section 1099 was added January 1, 2006 to codify this common law rule. This new section states a) An officer shall not simultaneously hold two public offices that are incompatible, as defined; and b) When two public offices are incompatible, a public officer shall be deemed to have forfeited the first office upon acceding to the second.

The State of California Attorney General's Office has issued several opinions of particular compatibility questions. Below are six examples of incompatible offices:

- The offices of city council member 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 County Supervisor 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;
- Deputy Sheriff and County Supervisor

For questions regarding whether two public offices would be considered incompatible, contact the California Attorney General's Office at (916) 445-9555 or visit their website, <https://www.oag.ca.gov/conflict-interest>.

For further information about conflicts of interest or incompatibility of offices, contact the Fair Political Practices Commission's website at [www.fppc.ca.gov](http://www.fppc.ca.gov), or call (866) 275-3772.

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## CALENDAR OF EVENTS

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## NOVEMBER 17, 2020

### SANTA RITA HILLS COMMUNITY SERVICES DISTRICT VACANCY ELECTION

DATES/DEADLINES	EVENTS
<b>September 8 – September 25, 2020</b>	<b>CANDIDATE NOMINATION PERIOD</b>
	Candidates must file a Declaration of Candidacy and other required filing forms by 5:00 p.m. on September 25, 2020. Please schedule an appointment online at <a href="http://www.sbcvote.com">www.sbcvote.com</a> or call the Elections Division at (805) 696-8957 to make an appointment. Candidate filing for the Santa Rita Hills Community Services District Special Election will only be available at the Santa Barbara Elections Main Office.
<b>September 26 – September 30, 2020</b>	<b>CANDIDATE NOMINATION EXTENSION PERIOD</b>
	If the qualified incumbent fails to file by 5:00 p.m. on September 25, 2020, the candidate nomination period is extended by five (5) calendar days for any person, other than the incumbent, to file.
<b>September 26 – October 5, 2020</b>	<b>CANDIDATE STATEMENTS PUBLIC EXAM PERIOD</b>
<b>10 Calendar Days</b>	Candidate statements are confidential until the candidate filing deadline. Filed candidate statements will be available for public examination in the county elections official's office for a period of 10 calendar days immediately following the candidate filing deadline.  E.C. §§ 13311, 13313
<b>September 30, 2020</b>	<b>INSUFFICIENT NOMINEES SPECIAL DISTRICTS</b>
	If by 5:00 p.m. on this day, only one person has been nominated or an insufficient number of persons have been nominated to fill an office or offices, and a petition signed by 10% or 50 voters (whichever is the smaller number) has not been submitted, the elections official shall certify this fact to the Board of Supervisors. Any person who has filed a Declaration of Candidacy shall be appointed to the office the first Monday before the first Friday in December. If no one filed, another person, who qualifies by the date the election would have been held, shall be appointed by the Board of Supervisors. The appointed person shall take office and serve as if elected.  E.C. § 10515
<b>September 28, 2020</b>	<b>CANDIDATE STATEMENT WITHDRAWAL DEADLINE</b>
	Last day a candidate may withdraw his or her candidate statement.  E.C. §13107.5
<b>October 19, 2020</b>	<b>BALLOTS MAILED</b>
	First day ballots are mailed out to eligible voters.
<b>October 27 – November 3, 2020</b>	<b>WRITE-IN CANDIDATE FILING PERIOD</b>
	The Statement of Write-In Candidacy shall be delivered to the county elections official responsible for the conduct of the election no later than the 14 <sup>th</sup> day prior to the election.  No fee or charge shall be required of a Write-In Candidate, except in the case of a candidate for city office, as provided in Election Code Section 10228.  E.C. §§ 8600, 8601, 8604

## CALENDAR OF EVENTS

## NOVEMBER 17, 2020

### SANTA RITA HILLS COMMUNITY SERVICES DISTRICT VACANCY ELECTION

DATES/DEADLINES	EVENTS
<b>November 2, 2020</b>	<b>CLOSE OF VOTER REGISTRATION</b>
	<p>The county elections official shall accept an affidavit of registration executed as part of a voter registration card in the forthcoming election if the affidavit is executed on or before the 15<sup>th</sup> day prior to the election, and if any of the following apply:</p> <ul style="list-style-type: none"><li>• A mailed affidavit is postmarked on or before the 15<sup>th</sup> day prior to the election and received by mail by the county elections official before the close of polls on Election Day.</li><li>• The affidavit is submitted to the Department of Motor Vehicles or accepted by any other public agency designated as a voter registration agency pursuant to the federal Voter Registration Act on or before the 15<sup>th</sup> day prior to the election.</li><li>• The affidavit is submitted electronically on the internet website of the Secretary of State on or before the 15<sup>th</sup> day prior to the election.</li></ul> <p style="text-align: right;">E.C. §§ 2102</p> <p>California Online Voter Registration is available at the Secretary of State's website at <a href="https://registertovote.ca.gov/">https://registertovote.ca.gov/</a>. The deadline to register or re-register to vote for any election using the California Online Voter Registration system is <b>11:59:59 p.m.</b> pacific time on the 15<sup>th</sup> calendar day before the election.</p>
<b>November 10, 2020</b>	<b>BALLOT MAILING DEADLINE</b>
	Last day the county elections official may mail ballots to eligible voters.
<b>November 17, 2020</b>	<b>ELECTION DAY</b>
	Polls open at 7:00 a.m. and close at 8:00 p.m. Polls are located at the Santa Barbara Elections Division Main office.
<b>November 18, 2020</b>	<b>OFFICIAL CANVASS</b>
	Beginning no later than the Thursday following the election, the county elections official will begin the official canvass. <span style="float: right;">E.C. § 15301</span>
<b>December 4, 2020</b>	<b>ELECTED/APPOINTED OFFICER TERM BEGINS</b>
<b>12:00 p.m.</b>	The elected or appointed District Director will take office at 12:00 p.m. on this date.

# CANDIDATE FILING REQUIREMENTS

## OVERVIEW

All candidates **must** file a Declaration of Candidacy in order to qualify as a candidate for a school or special district office. At the time of filing the Declaration of Candidacy, candidates are also responsible for filing a series of other required and optional forms. Collectively these forms are referred to as “candidate filing forms” or “candidate filing paperwork.”

Forms to be filed **with the Declaration of Candidacy** include:

- The Ballot Designation Worksheet (optional; however, it must be filed if requesting a ballot designation).
- Form 700 (required).
- Candidate’s Statement of Qualifications (optional)
- Code of Fair Political Practices Form (optional).

Candidates are also subject to filing certain campaign financial disclosure forms. Please see **pages 16 to 18** for information regarding campaign financial disclosure filing requirements.

**It is the obligation of the candidate to ensure that all filing requirements and deadlines are met.** Prospective candidates are encouraged to obtain the necessary candidate filing forms from the county elections official and file the candidate filing forms as soon as possible so any irregularities may be corrected before the filing deadline. Candidates may obtain the necessary filing forms from the county elections official as early as **September 8, 2020**.

If the Declaration of Candidacy is found “not sufficient,” no additions or corrections may be made after 5:00 p.m., **September 25, 2020**.

## DECLARATION OF CANDIDACY

All candidates **must** file a Declaration of Candidacy in order for their name to be printed on the ballot. Candidates are also subject to filing additional required and optional candidate filing forms at that time in order to qualify as a candidate.

The Declaration of Candidacy is the form on which a candidate declares his or her candidacy, provides their ballot designation, and takes an oath of office. The Declaration of Candidacy will remain in the office of the county elections official once it is issued to a candidate.

Information provided on the Declaration of Candidacy includes:

1. Name of office sought.
2. Name of candidate.
3. Name and ballot designation as desired on the ballot.
4. Residential address.
5. Business address (if applicable).
6. Phone number (fax, email and website are optional).

Prospective candidates who do not file a Declaration of Candidacy by the deadline will not qualify to appear on the ballot.

Once filed, the Declaration of Candidacy is public information and available for public viewing only at the Elections Office.

**IMPORTANT: The deadline to file a Declaration of Candidacy and required forms is 5:00 p.m. on September 25, 2020.**

# CANDIDATE FILING REQUIREMENTS

## BALLOT DESIGNATION WORKSHEET

California Secretary of State  
BALLOT DESIGNATION WORKSHEET  
Elections Code §§ 13107, 13107.3, 13107.5, California Code of Regulations § 20111

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.

**REQUIRED**  
**if requesting a ballot designation**

Candidate Name: \_\_\_\_\_ Candidate Position, for transition use only: \_\_\_\_\_  
Office: \_\_\_\_\_ Email: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Cell Phone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

Ally Name (if other person authorized to act on your behalf): \_\_\_\_\_  
Ally Title: \_\_\_\_\_  
Ally Address: \_\_\_\_\_  
Ally Phone Number: \_\_\_\_\_  
Ally Cell Phone Number: \_\_\_\_\_  
Ally Fax Number: \_\_\_\_\_

You may also file your ballot designation with the following information:  
(a) Your current principal profession(s), vocation(s) or occupation(s) (maximum total of three words, separated by a space (" ");  
(b) The full title of the public office you currently occupy and to which you were elected;  
(c) "Appointed" for title of public office? If you currently were appointed to the public office and you are seeking election to the same office or to some other office;  
(d) "Elected" if you were elected (i.e., if you were elected to the same office that you hold) to your current public office and seek election to the same office;  
(e) "Appointed/Elected" if you were appointed to the same office and elected to the same office.

Proposed Ballot Designation(s): \_\_\_\_\_  
Alternative Ballot Designation(s): \_\_\_\_\_

In the spaces provided, describe your proposed ballot designation(s):  
(a) Describe why you believe you are entitled to use the proposed ballot designation.  
(b) If your proposed ballot designation contains one or more slashes ("/") separating words in your ballot designation for separate principal profession(s), vocation(s), or occupation(s) (collectively known as "PVOC"), complete a justification section for each separate PVOC.  
(c) Attach any documents or exhibits that you believe support your proposed ballot designation.  
(d) Using the title of an elective office, attach a copy of your certificate of election or appointment.  
(e) Any supporting documents will not be required to you. Do not attach extraneous documents.

It is your responsibility to justify your proposed ballot designation and to provide all requested details.  
If your proposed ballot designation includes the word "volunteer," include 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.

Rev 08/2018

A ballot designation describes a candidate's current profession, vocation, occupation or incumbency status. The ballot designation will appear below the candidate's name on the ballot.

A ballot designation is optional. However, candidates selecting to have a ballot designation must file a **Ballot Designation Worksheet** and include their chosen ballot designation on their Declaration of Candidacy. **All fields** on the Ballot Designation Worksheet must be completed. For more information regarding ballot designations, please see **pages 11 to 12** of this guide.

## STATEMENT OF ECONOMIC INTERESTS – FORM 700 G.C. §§87201, 87202, 87203, 91000 et seq

CALIFORNIA FORM 700  
STATEMENT OF ECONOMIC INTERESTS  
COVER PAGE

NAME OF FILER: LAST FIRST MIDDLE  
1. Office, Agency, or Court  
Agency Name: \_\_\_\_\_  
Director, Board, Department, District, if applicable: \_\_\_\_\_ Your Position: \_\_\_\_\_  
\* If filing for multiple positions, list below or on an attachment. (Do not use acronym)  
Agency: \_\_\_\_\_ Position: \_\_\_\_\_

2. Jurisdiction of Office (check at least one box)  
 State  Judge or Court Commissioner (Statewide Jurisdiction)  
 Municipal  Board or Commission (Municipal Jurisdiction)  
 County  Board or Commission (Countywide Jurisdiction)

3. Type of Office (check at least one box)  
 Assumed Office: Date assumed: \_\_\_\_\_ through: \_\_\_\_\_  
 Candidate: Election year: \_\_\_\_\_ and office sought, if different than that of \_\_\_\_\_  
 Assisting Office: Date assumed: \_\_\_\_\_ through: \_\_\_\_\_  
 Assisting Office: Date assumed: \_\_\_\_\_ through: \_\_\_\_\_

4. Schedule Summary (must complete) - Total number of pages including this cover page: \_\_\_\_\_  
Schedules attached:  
 Schedule A-1 - Investments - schedule attached  
 Schedule A-2 - Investments - schedule attached  
 Schedule B - Real Property - schedule attached  
 Schedule C - Income, Loans, & Business Profits - schedule attached  
 Schedule D - Income - Gifts - schedule attached  
 Schedule E - Income - Gifts - Travel Payments - schedule attached

5. Verification  
I have read the instructions in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.  
I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed: \_\_\_\_\_ Signature: \_\_\_\_\_

Any candidate running for an office designated in a conflict of interest code, and all elected offices listed in Government Code Section 87200, must file a Statement of Economic Interests (Form 700).

The Form 700 is required to be filed with the county elections official where the candidate files their Declaration of Candidacy. The county elections official shall make and retain a copy and forward the original to the Fair Political Practices Commission as required.

Candidates and elected offices for those offices listed in Government Code Section 87200 are required to file a Form 700 at full disclosure. Those elected office not listed in Government Code Section 87200 must file a Form 700 at the disclosure level specified in the jurisdiction's Conflict of Interest Code.

Any person who knowingly or willfully violates any provision of this act is guilty of a misdemeanor. Violation of this article is punishable by prosecution, injunction or late penalties.

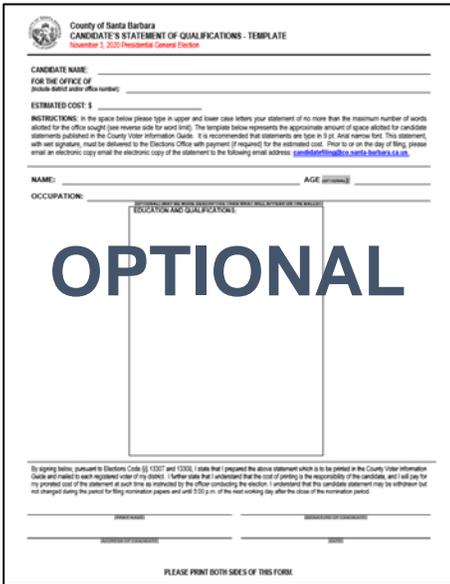
Each candidate must file a Form 700 when they file their Declaration of Candidacy. The "Candidate" Form 700 should include disclosure information for the 12-month period prior to the date of filing.

A "Candidate" Form 700 is not required if the candidate has filed, within 60 days prior to the filing of his or her Declaration of Candidacy, a Form 700 for the same jurisdiction.

**Elected Candidates:** Must also file an Assuming Office Statement (Form 700) within 30 days of assuming office.

# CANDIDATE FILING REQUIREMENTS

## CANDIDATE'S STATEMENT OF QUALIFICATIONS



County of Santa Barbara  
CANDIDATE'S STATEMENT OF QUALIFICATIONS - TEMPLATE  
November 1, 2020 (Revised) - General Election

CANDIDATE NAME: \_\_\_\_\_  
FOR THE OFFICE OF: \_\_\_\_\_  
(Provide ballot name, office number)

ESTIMATED COST: \$ \_\_\_\_\_

INSTRUCTIONS: In the space below please type in upper and lower case letters your statement of no more than the maximum number of words allowed for this office (shown reverse side for words limit). The template below represents the approximate amount of space allowed for candidate statements published in the County Voter Information Guide. It is recommended that statements are typed in 12 pt. Arial (sans serif). This statement, with all signatures, must be delivered to the Elections Office with payment (if required) for the estimated cost. Prior to or on the day of filing, please email an electronic copy of the statement to the following email address: [candidatestatements@sbsba.net](mailto:candidatestatements@sbsba.net).

NAME: \_\_\_\_\_ AGE (years): \_\_\_\_\_

OCCUPATION: \_\_\_\_\_

EDUCATION AND QUALIFICATIONS: \_\_\_\_\_

**OPTIONAL**

By signing below, pursuant to Elections Code §§ 13327 and 13328, I state that I prepared the above statement which is to be printed in the County Voter Information Guide and mailed to each registered voter of my district. I further state that I understand that the cost of printing is the responsibility of the candidate, and will pay for my printed cost of the statement at such time as instructed by the officer conducting the election. I understand that this candidate statement may be withdrawn but not changed during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

\_\_\_\_\_  
CANDIDATE

\_\_\_\_\_  
OFFICER OF ELECTIONS

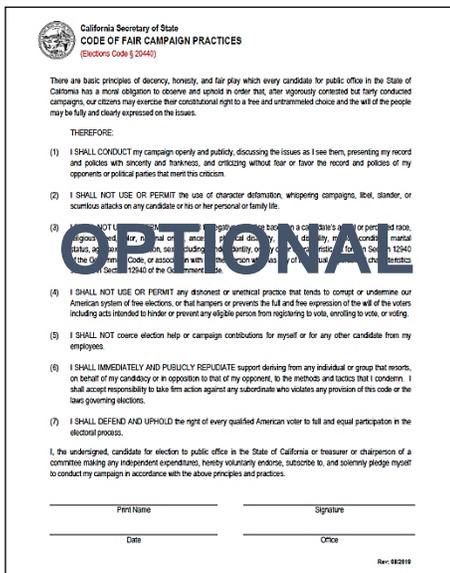
RELEASE PRINT BOTH SIDES OF THIS FORM.

Filing a Candidate Statement of Qualifications (candidate statement) is **optional** to file. If a candidate chooses to file a candidate statement, the hardcopy of the statement and the required filing fee are due at the time the Declaration of Candidacy is filed.

Filed candidate statements may be withdrawn, but not changed, up until 5:00 p.m. of the following business day after the close of the candidate filing period, September 25, 2020.

More information about candidate's statement of qualifications may be found in **pages 13 to 15** of this guide.

## CODE OF FAIR CAMPAIGN PRACTICES



California Secretary of State  
CODE OF FAIR CAMPAIGN PRACTICES  
(Elections Code § 2044)

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammeled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with accuracy and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit this criticism.
- (2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
- (3) I SHALL NOT USE OR PERMIT the use of any political book, newspaper, or other printed or recorded matter, or any other means of communication, to disseminate false information, to create a false impression of my record, or to create a false impression of the record of any other candidate. I shall not use or permit the use of any political book, newspaper, or other printed or recorded matter, or any other means of communication, to disseminate false information, to create a false impression of my record, or to create a false impression of the record of any other candidate.
- (4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
- (5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.
- (6) I SHALL IMMEDIATELY AND PUBLICLY REPUDEATE support deriving from any individual or group that resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics that I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Office

Rev-082019

The filing of the "Code of Fair Campaign Practices" form is **optional**.

By signing this form, the candidate agrees to conduct a fair campaign openly and publicly, not use character defamation, libel, slander, or dishonest and unethical practice.

Once filed, the "Code of Fair Campaign Practices" is public record and open for public inspection.

## CAMPAIGN FINANCIAL DISCLOSURE FORMS

An overview of the campaign financial disclosure forms that candidates are subject to filing can be found on **pages 15 to 17** this guide.

# AGENT AUTHORIZATION

## AGENT AUTHORIZATION TO PICK UP AND/OR FILE NOMINATION DOCUMENTS

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Candidates may authorize an agent to pick up all or any of their candidate filing forms, including their Declaration of Candidacy, by completing the Authorization to Pick-Up and/or File Nomination Documents (Agent Authorization) request form. The Authorization to Pick/Up and/or File Nomination Documents is available on the County of Santa Barbara County Elections Division website at [www.sbcvote.com](http://www.sbcvote.com) or by contacting the Election Division at 805-696-8957.

If a candidate is unable to be present in the county elections official's office to file their Declaration of Candidacy, a candidate may designate, by use of the authorization form, an agent to pick-up and deliver the document to the candidate to be executed. The completed Declaration of Candidacy must be received by the county elections office (by hand or certified mail) by 5:00 p.m. on the filing deadline of September 25, 2020. **Postmarks will not be accepted.**

E.C. § 8028(b)

Election law does not specifically prohibit another person from filing a Declaration of Candidacy for a candidate. However, the County of Santa Barbara Elections Office staff strongly recommends that **candidates file in person** for the following reasons:

1. The oath, or affirmation, which is a part of the Declaration of Candidacy form, must be administered by an Elections Office clerk or a notary public. It is much easier for a candidate to file in person and have the oath administered at the time they file; and,
2. The signature of the candidate (as well as other information) is required on many documents involved in the nomination process. If through an oversight the Declaration of Candidacy is incomplete, the problem can easily be rectified when the candidate files in person.

## DEPLOYED ACTIVE MILITARY - AGENT AUTHORIZATION E.C. § 202

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A person who is deployed on active military service outside of the State and is unable to appear in person to file a Declaration of Candidacy, Nomination Papers, or any other paper necessary to run for office may have their forms completed and filed by an attorney-in-fact who is commissioned and empowered in writing for that purpose through a power of attorney.

At the time of filing the Declaration of Candidacy, the attorney-in-fact shall present the original power of attorney duly signed by the deployed person. The power of attorney shall state the office that the deployed person is seeking, including the district number, if any, and shall include a declaration that the deployed person meets the statutory and constitutional qualifications for office that they are seeking and that if nominated the deployed person will accept the nomination and will not withdraw. The power of attorney shall further state that the power of attorney is solely for the purpose of authorizing the attorney-in-fact to file a declaration or papers necessary to run for office. The original or a copy of the power of attorney shall be filed with and attached to the declaration or papers.

## CANDIDATE FILING CHECK LIST

In addition to this filing check-list, at the time a candidate is issued their candidate filing forms they will also receive an expanded check-list to aid them in completion of their candidate filing forms.

DOCUMENT		FOR MORE DETAILS	FILING PERIOD OR DEADLINE	FILED
<b>Declaration of Candidacy</b>	Required	See page 5	<b>September 8, 2020 to September 25, 2020</b>  Filed at the time the Declaration of Candidacy is filed.	
<b>Ballot Designation Worksheet</b>	Optional (Required if requesting a Ballot Designation)	See page 6 and Appendix I		
<b>Statement of Economic Interests (Form 700)</b>	Required	See page 6		
<b>Code of Fair Campaign Practices Form</b>	Optional	See page 7		
<b>Candidate Statement of Qualifications</b>	Optional	See page 7 and pages 13 to 15	<b>September 8, 2020 to September 25, 2020</b> Filed at the time the Declaration of Candidacy if filed.	
<b>Candidate Intention Statement (Form 501)</b>	Refer to Instructions on Form	See page pages 16 to 18, and Appendix II	Must be filed before a candidate solicit or receives any contributions or before they make expenditures from personal funds on behalf of their candidacy	
<b>Campaign Disclosure Statements (Form 410 or 470)</b>	Refer to Instructions on Form		<b>To be determined</b>	
<b>Pre-Election Campaign Statements (Form 460)</b>	Refer to Instructions on Form		<b>To be determined</b>	
<b>Late Contribution &amp; Independent Expenditures (Form 497 &amp; Form 496)</b>	Refer to Instructions on Form		<b>To be determined</b>	

## CANDIDATE NAME ON BALLOT

### RULES FOR PRINTING CANDIDATE NAMES ON THE BALLOT

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A candidate's name will be printed on the official ballot **exactly as it appears on the Declaration of Candidacy**. A candidate's ballot name should be recognized as the name under which the candidate is registered; however, the following name variations are permitted:

- First, middle, and last names. Example: John James Doe or John Doe
- First and middle initials and last name. Example: John J. Doe, J.J. Doe, or J. James Doe
- A short version of the first name. Example "Jim" for James or "Katie" for Kathryn
- A nickname designated with parentheses () or quotation marks "". Example John "Jon-Jon" Doe

Legal name changes within one year of any election may only appear on the ballot if the change was made by marriage or court decree.

E.C. § 13104

No degrees or titles allowed in the ballot name, such as Mr., Ms., Dr., or PhD.

E.C. § 13106

### ORDER OF CANDIDATE NAMES ON THE BALLOT

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#### RANDOMIZED ALPHABET DRAWING

The Secretary of State shall conduct a drawing of the letters of the alphabet, the result of which is known as a **randomized alphabet**. The resulting randomized alphabet determines the order of all candidates' names on the ballot. If two or more candidates for the same office have the same first letter in their last name, the subsequent letters in the last name will determine the order. For example, if two candidates with the surnames Campbell and Carlson are running for the same office, their order on the ballot will depend on the order in which the letters M and R were drawn in the randomized alphabet drawing.

E.C. §§ 13112, 13113

# BALLOT DESIGNATION

## OVERVIEW E.C. § 13107 et al.; Cal Code Reg. §§ 20710-20719

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The ballot designation is the wording that appears below the candidate's name on the ballot. Candidates may choose a designation that describes the candidate's current profession, vocation, occupation or incumbency status.

A ballot designation is **optional**. Candidates selecting to have a ballot designation must include this information on their Declaration of Candidacy, and file a **Ballot Designation Worksheet**. If a Ballot Designation Worksheet is not filed by a candidate wishing to have a ballot designation, no designation will appear on the ballot.

The Ballot Designation Worksheet shall be filed with the county elections official at the same time the candidate files their Declaration of Candidacy. Additionally, candidates are encouraged to attach any documents or exhibits that support their proposed ballot designation. For example, if using the title of an elective office, a candidate may attach a copy of the certificate of election or appointment; or if using "Teacher," a candidate may attach a copy of their credential(s) or certificate(s).

Upon filing, the Ballot Designation Worksheet becomes public record, and may not be changed by the candidate after the filing deadline. Candidates and other interested persons may view or request a copy of a filed Ballot Designation Worksheet in the office of the county elections official.

If no ballot designation is desired, the candidate will be instructed to print "NONE" and initial in the space provided on the Declaration of Candidacy. Candidates electing to not have a ballot designation are not required to file the Ballot Designation Worksheet.

## BALLOT DESIGNATION CATEGORIES AND EXAMPLES

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1. **Elected Office Title:** Words describing a currently held elected position may be used as a ballot designation.

Example A: Director, XYZ Sanitary District

Example B: School Board Member, ABC School District

2. **Incumbent:** The word "Incumbent" may be used if the candidate is a candidate for the same office, which they hold at the time of filing the Declaration of Candidacy, and was elected to that office by a vote of the people.

3. **Appointed Incumbent:** The phrase "Appointed Incumbent" must be used if a candidate was appointed to the office they currently hold and are seeking election to the same office. A candidate may also use the word "appointed" and the office title if seeking election to the same office or different office.

Example A: Appointed Incumbent

Example B: Appointed Director, ABC District

4. **Current Occupation:** No more than **three words** to describe 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 the Declaration of Candidacy. Geographical names and hyphenated words that have appeared in the dictionary within 10 years preceding the election are considered one word.

Example A: Small Business Owner

Example B: Attorney/Author/Teacher

# BALLOT DESIGNATION

## UNACCEPTABLE BALLOT DESIGNATIONS AND REJECTION PROCESS

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Pursuant to Elections Code Section 13107(e) ballot designations will not be accepted if the designation:

1. Misleads the voter.
2. Suggests an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
3. Abbreviates the word “retired” or places it following any other word or words, which it modifies.
4. Uses a word or prefix, such as “former” or “Ex-,” which means a prior status. The exception is the use of the word “retired.”
5. Uses the name of any political party, whether or not it has qualified for the ballot.
6. Uses a word or words referring to a racial, religious, or ethnic group.
7. Refers to any activity prohibited by law.

Candidates are encouraged to review the California Administrative Code of Regulations sections 20710-20719 for additional applicable ballot designation requirements. Additionally, ballot designations that include commercial identification information such as trademarks or designations that include specific business, foundation, or organization names cannot be accepted.

If the selected ballot designation is in violation of any of the restrictions set forth by Elections Code, the candidate will be notified by the county elections official by registered or certified mail with return receipt requested. The notice will be mailed to the candidate at the mailing address provided on the candidate’s Ballot Designation Worksheet.

The candidate shall, within three days, excluding Saturday, Sunday and state holidays, from the date of receipt of the notice, appear before the county elections official and provide an alternate designation. If an alternate designation is not provided within the time allowed, no designation will appear on the ballot.

E.C. § 13107(f)

## FORMAT STANDARDS

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**Candidates are strongly encouraged to consider ballot space limitations when considering a longer ballot designation that may otherwise be permissible by law.**

In most cases, the selected ballot designation will be printed in 8-point uppercase and lowercase type. If the ballot designation is so long that it would conflict with the space requirements of Sections 13207 and 13211, the county elections official may use a type size sufficiently smaller to meet these requirements.

See **Appendix I** of this guide for copy of the Ballot Designation Worksheet and applicable ballot designation Elections Codes. To review the California Code of Regulations, please visit the Secretary of State’s website at [www.sos.ca.gov](http://www.sos.ca.gov).

## CANDIDATE STATEMENT OF QUALIFICATIONS

Filing a Candidate's Statement of Qualifications (candidate statement) is **optional**. The fee to file a candidate statement is **\$25** and all submitted candidate statements are subject to a **200-word** limit.

Filed candidate statements may be withdrawn, but not changed, up until 5:00 p.m. on September 28, 2020. Filed candidate statements remain confidential until the close of the candidate filing period. Following the close, filed candidate statements are subject to a ten-day public examination period.

### CONTENT STANDARDS

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Candidate statements may include the name, age (optional), occupation (may vary from the ballot designation), and a brief description of the candidate's education and qualifications.

The candidate statement shall be **limited to a recitation of the candidate's own personal background and qualifications**. The statement shall **"not make in any way reference to other candidates for that office or to another candidate's qualifications, character, or activities."** For Non-Partisan offices, the statement shall not include the party affiliation of the candidate, or membership or activity in partisan political organizations.

E.C. §§ 13307(a), 13307.5, 13308

Once the candidate statement is filed, no changes can be made. The statement may be withdrawn, but not changed, during the period for filing Nomination Documents and until 5:00 p.m. of the next working day after the close of the nomination period.

E.C. § 13307(a)(3)

Pursuant to Elections Code Section 13308, improper language that makes any reference to another candidate or to another candidate's qualifications, character, or activities will be removed. In such instances, the candidate will be notified and the improper language will not be included in the printed candidate statement.

### FORMAT AND STYLE STANDARDS

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Candidates choosing to submit a candidate statement must file an **electronic** and **signed hard copy** of the statement on the form provided by the county elections official. The electronic copy may be emailed or put on a CD. USB memory devices are not accepted. **The original signed hard copy of the candidate statement is the filed original. Submitted electronic copies will be edited to match the original hard copy prior to publication in the County Voter Information Guide.**

The candidate statement **must** be typed and printed in uniform type, size, spacing, and darkness. Additionally, statements **must** be in first person, singled spaced, and in **block paragraph format**.

The following **are not** permitted:

- Handwritten statements
- Copies from a fax machine
- Extra exclamation points!!!
- Stars, bullets, or asterisks\*
- Graphics or *Italics*
- Underlining or **Bolding**
- ALL UPPER CASE

**Candidate statements must fit on one-quarter of a County Voter Information Guide page (8 ½ by 11-inch page). Submitted candidate statements that do not fit within this limitation will be adjusted by the County of Santa Barbara Elections Division Office staff to fit within the space allotted.**

# CANDIDATE STATEMENT OF QUALIFICATIONS

## **WORD COUNTING GUIDELINES** E.C. §9

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The counting of words is governed by Elections Code Section 9 and is listed below:

1. Punctuation is not counted.
2. Each word shall be counted as one word except as specified in this section.
3. All proper nouns, including geographical names, shall be considered as one word; for example, "City of San Francisco" and "County of San Francisco" shall each be counted as one word.
4. Each abbreviation for a word, phrase, or expression shall be counted as one word.
5. 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.
6. Dates shall be counted as one word.
7. Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. "One" shall be counted as one word whereas "one hundred" shall be counted as two words. "100" shall be counted as one word.
8. Telephone numbers shall be counted as one word.
9. Internet website addresses shall be counted as one word.

**IMPORTANT:** The county elections official does not proof for spelling, punctuation and grammar errors; therefore, candidates are advised to carefully check their statements prior to filing. Candidate statements are printed exactly as submitted, including errors.

## **CANDIDATE STATEMENT WITHDRAWAL PROCESS**

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Once the candidate statement is filed, no changes can be made. The statement may be withdrawn, but not changed, during the candidate filing period and up until 5:00 p.m. of the next working day after the close of the candidate filing period.

E.C. § 13307(a)(3)

Candidates who choose to withdraw their filed candidate statement must complete and file a Candidate Statement Withdrawal Request form by the deadline. The Candidate Statement Withdrawal Request form is available upon request from the County of Santa Barbara Elections Office, and may be submitted in person, by fax, or by email. Refund checks for the candidate statement fee collected at the time of filing will be issued approximately 30 to 45 days following the close of the nomination period. Refund checks will be mailed to the mailing address indicated on the candidate's Candidate Statement Filing Acknowledgement and Receipt.

# CANDIDATE STATEMENT OF QUALIFICATIONS

## EXAMPLE OF ACCEPTABLE AND UNACCEPTABLE STATEMENTS

ACCEPTABLE STATEMENT	
<p style="text-align: center;"><b>STATEMENT OF CANDIDATE FOR Office Jurisdiction/District</b></p> <p><b>Jane Doe</b> <span style="float: right;"><b>Age: 21</b></span></p> <p><b>Occupation: Incumbent, Businessperson, Entertainer</b></p> <p><b>Education and Qualifications:</b></p> <p>Word count begins here. The candidate may wish to mention education and qualifications and then continue with the candidate statement of up to 200 words.</p> <p>The candidate statement is printed in 'block' paragraphs, which means that the paragraph will be aligned to both left and right margins as shown in this example. Special indentations are not allowed. If a list is to be printed (accomplishments, clubs, goals, etc.), it will appear as shown in the following paragraph:</p> <p>I belong to the following organizations: PTA, Chamber of Commerce, Zoological Society and Bridge Club. If elected, I will: 1) lower taxes; 2) increase income; 3) be your faithful servant.</p>	<p>→ Age is optional. If a candidate's age is not provided, the word, "Age" will not appear in the statement.</p>
UNACCEPTABLE STATEMENT	
<p style="text-align: center;"><b>STATEMENT OF CANDIDATE FOR Office Jurisdiction/District</b></p> <p><b>Jane Doe</b> <span style="float: right;"><b>Age: 21</b></span></p> <p><b>Occupation: Incumbent, Businessperson, Entertainer</b></p> <p><b>Education and Qualifications:</b></p> <p>Word count begins here. <u>The candidate may wish to mention education and qualifications</u> and then continue with the candidate statement of up to 200 words.</p> <p>The candidate statement is printed in 'block' paragraphs, which means that the paragraph will be aligned to both left and right margins. The example shown below is unacceptable.</p> <ul style="list-style-type: none"> <li>• Special indentations, bullets, asterisks, etc. are not allowed.</li> <li>• If a list is to be printed (accomplishments, clubs, goals, etc.), it <b>should not appear</b> as shown in the following paragraph:</li> </ul> <p>I belong to the following organizations: PTA, Chamber of Commerce, Zoological Society and Bridge Club. If elected, I will: 1) Lower taxes; 2) Increase income; 3) Be your faithful servant.</p>	<p style="text-align: center;">BOXED ITEMS INDICATE ISSUES</p> <p>→ Use of underlining.</p> <p>→ Use of indentations, bullets, asterisks, etc.</p> <p>→ Use of bold text.</p> <p>→ Listing of items.</p>

For questions about candidate statements, please contact the County of Santa Barbara Elections Office at:  
**(805) 696-8955**

# CAMPAIGN FINANCIAL DISCLOSURE

The image shows three sample forms from the Fair Political Practices Commission (FPPC). The top form is California Form 501, 'Candidate Intention Statement', which includes fields for candidate name, office, and campaign dates. The middle form is California Form 410, 'Statement of Organization', which details the organization's name, type, and primary purpose. The bottom form is California Form 460, 'Recipient Committee Campaign Statement Cover Page', which includes instructions on how to fill out the statement, including sections for committee information, type of statement, and verification.

The Political Reform Act of 1974, as amended, requires all candidates for elected offices, all elected officeholders, and all committees supporting or opposing candidates, measures or petition drives to file campaign disclosure statements disclosing contributions received and expenditures made.

G.C. §§ 84100 – 84108

Copies of the Fair Political Practices Commission (FPPC) Campaign Disclosure Manuals are available at the county elections official's office and online at [www.fppc.ca.gov](http://www.fppc.ca.gov). Candidates and/or committee treasurers should obtain the manual as soon as possible and make certain that all persons involved in the financial aspect of the campaign are fully aware of their responsibilities under the law.

G.C. §§ 81010, 83113

The FPPC website contains instructional tools including a video to assist candidates with navigating the filing and reporting requirements of the Political Reform Act. Candidates may view the webinar and the toolkit by visiting [www.fppc.ca.gov](http://www.fppc.ca.gov).

## CAMPAIGN DISCLOSURE FORMS

The following grid outlines general instructions for the most commonly filed Campaign Financial Disclosure forms. Please see form instructions and FPPC Manuals for more comprehensive filing instructions. The FPPC's Campaign Activity FAQ may be found in **Appendix II** of this guide.

FORM 501 – CANDIDATE INTENTION STATEMENT	
<b>Who Files</b>	A candidate for state or local office must file this form for each election, including reelection to the same office. Exception: Candidates for county central committee that do not raise or spend \$2,000 or more in a calendar year are not required to file a Form 501.
<b>When to File</b>	Must be filed prior to soliciting or receiving any contributions, or making any expenditures from personal funds on behalf of a candidate's campaign.
<b>Where to File</b>	County of Santa Barbara Elections Division.
FORM 410 – STATEMENT OF ORGANIZATION	
<b>Who Files</b>	Persons (including an officeholder or candidate), organizations, groups, or other entities that raise contributions totaling \$2,000 or more in a calendar year to spend on California elections. Use of personal funds by candidates that seek an elective office are considered contributions and count toward the \$2,000 threshold with the exception of expenditures made from personal funds for candidate filing or candidate's statements of qualification fees. "Contributions" include monetary payments, loans and non-monetary goods and services received or made for a political purpose.

## CAMPAIGN FINANCIAL DISCLOSURE

<b>FORM 410 – STATEMENT OF ORGANIZATION (Continued)</b>	
<b>When to File</b>	Must be filed within 10 days of receiving \$2,000 in contributions. A \$50 fee, payable to the Secretary of State is due at the time of filing. An initial Form 410 may be filed prior to raising or spending \$2,000 and then amended within 10 days of reaching the \$2,000 threshold.
<b>Where to File</b>	All committees must file the signed original with the Secretary of State. Local County Committees must also file a copy with the County of Santa Barbara Elections Division.
<b>FORM 460 – RECIPIENT COMMITTEE CAMPAIGN STATEMENT</b>	
<b>Who Files</b>	All recipient committees including Candidate/Officeholder controlled committees and Primary Formed Candidate/Officeholder Committees who have filed a Form 410 and have raised or spent \$2,000 or more in a calendar year.
<b>When to File</b>	Filed according to the applicable schedule, see <b>Appendix II</b> of this guide for filing schedules.
<b>Where to File</b>	One original [with “wet ink” signature(s)] and one copy with County of Santa Barbara Elections Division.
<b>FORM 470 – CANDIDATE CAMPAIGN STATEMENT (SHORT FORM)</b>	
<b>Who Files</b>	<p>Filed by officeholders and candidates who do not have a controlled committee, do not anticipate receiving contributions totaling \$2,000 or more during the calendar year; and/or do not anticipate spending \$2,000 or more during a calendar year.</p> <p>Exceptions:</p> <ul style="list-style-type: none"> <li>• Candidates for county central committee offices that do not raise or spend \$2,000 or more in a calendar year;</li> <li>• Officeholders whose salaries are less than \$200 per month and judicial candidates who have not made or received contributions or made expenditures during non-election years; and</li> <li>• Judges who do not receive contributions and who make personal expenditures of less than \$1,000 in non-election years.</li> </ul>
<b>When to File</b>	Must be filed no later than the first pre-election filing deadline. See <b>Appendix II</b> of this filing guide for filing schedules.
<b>Where to File</b>	County of Santa Barbara Elections Division.
<b>FORM 496 – 24-HR INDEPENDENT EXPENDITURE REPORT</b>	
<b>Who Files</b>	<p>Must be filed within 24 hours of a making an Independent Expenditure that totals \$1,000 (in aggregate) or more within the 90 days before Election Day (not applicable to candidates who make expenditures from their committee in support of their own election or in opposition to an opponent).</p> <p>“Independent Expenditures” are defined as expenditures made in connection with a communication (e.g. mailing or advertisement) that supports or opposes the election or defeat of a candidate.</p>
<b>When to File</b>	Within 24-hours of a committee making an Independent Expenditure in the 90 days before Election Day.
<b>Where to File</b>	County of Santa Barbara Elections Division.

# CAMPAIGN FINANCIAL DISCLOSURE

## FORM 497 – 24-HR CONTRIBUTION REPORT

<b>Who Files</b>	All candidates who give or receive contributions that total in aggregate of \$1,000 or more to or from a single source in the 90 days before Election Day.
<b>When to File</b>	Within 24-hours a committee making or receiving contribution(s) that total in aggregate of \$1,000 or more in the 90 days before Election Day.
<b>Where to File</b>	County of Santa Barbara Elections Division.

# POLITICAL CAMPAIGN LAW AND REGULATIONS

## ELECTION LAWS AND REGULATIONS

The code references below are provided as a resource and may not be complete and final information. In case of conflict, the law, regulation, or rule will apply.

A copy of the Elections Code is available for viewing at the County of Santa Barbara Elections Office or may be found by visiting the Official California Legislative Information site at <http://leginfo.legislature.ca.gov>. A copy of the Business Professionals Code and the Government Code may also be found at the site listed above. A copy of the United States Constitution may be found on various government websites including the United States Senate Official Website at [www.senate.gov/civics/constitution\\_item/constitution.htm](http://www.senate.gov/civics/constitution_item/constitution.htm).

### 1. Election Campaigns

- Endorsements of Candidates: E.C. §§ 20000 - 20010
- Political Corporations: E.C. § 20100
- Solicitation: E.C. §§ 20200 - 20203
- Limitations on the Use of Surplus Campaign Funds: E.C. § 20301
- Code of Fair Campaign Practices: E.C. §§ 20440 - 20444
- Libel and Slander: E.C. §§ 20500 - 20502
- Representations to the Public and Advertising: B.P.C § 17538.41

### 2. Simulated Ballot Requirements E.C. § 20009

### 3. Electioneering near a Polling Place E.C. § 18370

### 4. Electioneering during Vote By Mail Voting E.C. § 18371

### 5. Slate Mailers G.C. §§ 82048.3, 82048.4, 84305.7

### 6. Mass Mailing Advertising G.C. §§ 82041.5, 84305, 89001

### 7. Temporary Political Signs

#### [Section 5405.3 of the State of California Outdoor Advertising Act](#)

Nothing in this chapter, including, but not limited to, Section 5405, shall prohibit the placing of temporary political signs, unless a federal agency determines that such placement would violate federal regulations. However, no such sign shall 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. A temporary political sign is a sign which:

- a) Encourages a particular vote in a scheduled election.
- b) Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.
- c) Is no larger than 32 square feet.
- d) Has had a statement of responsibility filed with the California Department of Transportation certifying a person who will be responsible for removing the temporary political sign and who will reimburse the department for any cost incurred to remove it.

### 8. Placement of Political Signs may be regulated by the state, county, or city depending upon the location of such signs:

- **State** – Refer to the Department of Transportation website at [www.dot.ca.gov](http://www.dot.ca.gov) or by phone at (916) 654-5266
- **County** – Refer to Chapter 35, Article 1, of the County of Santa Barbara Code by going to this link:

[https://library.municode.com/ca/santa\\_barbara\\_county/codes/code\\_of\\_ordinances?nodeId=C H11BVOCAEXCE](https://library.municode.com/ca/santa_barbara_county/codes/code_of_ordinances?nodeId=C H11BVOCAEXCE)

Candidates should speak with the County Zoning Administrator to be certain that signs comply with county requirements. (805) 568-2090.

- **Cities** – If the sign is placed within city boundaries, please contact the City Attorney's Office for the city in which the sign would be placed.

## REPORTING CAMPAIGN COMPLAINTS

The County of Santa Barbara Elections Office is not an enforcement agency and is therefore unable to investigate any violations. Individuals who would like to report a violation(s) will be referred to one of the agencies listed below.

The following is a list of resources that may be contacted regarding possible election violations or fraud:

1. **Fair Political Practices Commission:** [www.fppc.ca.gov](http://www.fppc.ca.gov) or (866) 275-3772 and press 1 for the Enforcement Division for violations of the Political Reform Act, i.e. mass mailing requirements; slate mailers; campaign disclosure; proper use of campaign funds; and disclosure of economic interests.
2. **California Secretary of State:** [www.sos.ca.gov](http://www.sos.ca.gov) or (916) 657-2166 for election fraud.
3. **California State Attorney General:** <http://www.oag.ca.gov> or (800) 952-5225 or the local District Attorney at (805) 568-2300 for open meeting laws, unlawful use of public funds, violations of the California Elections Code, the Penal Code, or any laws other than those governed by the Political Reform Act.
4. **Federal Election Commission:** [www.fec.gov](http://www.fec.gov) or (800) 424-9530 for federal campaign complaints. (i.e., Congressional, U.S. Senate, and President of the United States.)
5. **County of Santa Barbara District Attorney:** (805) 568-2300 for election fraud, enforcement of local ordinances, vandalism, or requirements concerning campaign signs.

If the violation has occurred within city boundaries contact the **City Attorney's Office** for that city.

**There is no agency enforcement that deals with false or misleading campaign materials. These issues must be handled through the local court system.**

## WRITE-IN CANDIDATE FILING INFORMATION

A person who has not filed to be a candidate during the candidate filing period, may still be elected to office as a Write-In Candidate. The Write-In period will only apply to school and special district contests that will appear on the ballot.

WRITE-IN CANDIDATE FILING PERIOD	
General Election	
October 27 to November 3, 2020	First and last day of the Write-In Candidate Filing period. Write-In Candidates must submit the Statement of Write-In Candidacy and other required forms to the County of Santa Barbara Election Office by 5:00 p.m. on November 3, 2020.

### **WRITE-IN CANDIDATE FILING REQUIREMENTS**

There is no filing fee for Write-In Candidates. In order to qualify as a certified Write-In Candidate at the district election, the prospective candidate must file a Statement of Write-In Candidacy.

E.C. §§ 8600, 8604

### **STATEMENT OF WRITE-IN CANDIDACY**

The Statement of Write-In Candidacy shall include the following information:

1. Candidate's name.
2. Residence address.
3. A declaration stating that they are a Write-In Candidate.
4. The title of the office for which they are seeking.
5. The date of the election.

### **ADDITIONAL FILING REQUIREMENTS**

Write-In Candidates are also subject to filing the following required and optional documents:

- **Statement of Economic Interests - Form 700** (Required) – See **page 6** for more information
- **Code of Fair Campaign Practices** (Optional) - See **page 7** for more information.
- **Campaign Finance Disclosure Statements** - See **pages 16 to 18 and Appendix II** for more information.

# APPENDIX I

BALLOT DESIGNATION WORKSHEET



**California Secretary of State  
BALLOT DESIGNATION WORKSHEET**

(Elections Code §§ 13107, 13107.3, 13107.5; California Code of Regulations § 20711)

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 Information**

1

Candidate Name: \_\_\_\_\_ Gender (optional, for translation use only): \_\_\_\_\_

Office: \_\_\_\_\_ Email: \_\_\_\_\_

Home Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Business Address: \_\_\_\_\_

Phone Number(s)  
Business: \_\_\_\_\_ Home/Mobile: \_\_\_\_\_ Fax: \_\_\_\_\_

**Attorney Information**

2

Attorney Name (or other person authorized to act on your behalf): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number(s)  
Business: \_\_\_\_\_ Mobile: \_\_\_\_\_ Fax: \_\_\_\_\_

**You may select as your ballot designation one of the following designations:**

- (a) Your current principal profession(s), vocation(s), or occupation(s) [maximum total of three words, separated by a slash ("/")].
- (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 the same office or to some other office.
- (d) "Incumbent" if you were elected (or, if you are a Superior Court Judge, you are a candidate for the same office that you hold) to your current public office and seek election to the same office.
- (e) "Appointed Incumbent" if you were appointed to your current elective public office and seek election to the same office.

**Proposed Ballot Designation(s)**

3

Proposed Ballot Designation(s): \_\_\_\_\_

Alternate Ballot Designation(s) 1: \_\_\_\_\_

Alternate Ballot Designation(s) 2: \_\_\_\_\_

**In the spaces provided on the next page(s):**

- (a) Describe why you believe you are entitled to use the proposed ballot designation.
- (b) If your proposed ballot designation contains one or more slashes ("/") separating words in your ballot designation for separate principal profession(s), vocation(s), or occupation(s) (collectively known as "PVOs"), complete a justification section for each separate PVO.
- (c) Attach any documents or exhibits that you believe support your proposed ballot designation.
- (d) If using the title of an elective office, attach a copy of your certificate of election or appointment.
- (e) Any supporting documents will not be returned to you. **Do not submit originals.**

**It is your responsibility to justify your proposed ballot designation and to provide all requested details.**

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.



If your proposed ballot designation contains **one or more slashes (“/”)** separating multiple principal profession(s), vocation(s), or occupation(s) (collectively known as “PVOs”), **complete a justification section for each separate PVO.**

**Justification for use of Proposed Ballot Designation(s)**  
 If you are proposing alternate ballot designations, please provide justification for use of those on **Page 3.**

<b>Justification for use of 1<sup>st</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:
<b>Justification for use of 2<sup>nd</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:
<b>Justification for use of 3<sup>rd</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:

**Before signing below, answer/initial the following questions. Does your proposed ballot designation:**

- |     |  |  |               |
|-----|--|--|---------------|
| 1)  | Use only a portion of the title of your current elected office?  | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 2)  | Non-judicial candidates: Use only the word “Incumbent” for an elective office to which you were appointed?                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 3)  | Use more than three total words for your principal professions, vocations, or occupations?                                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 4)  | Suggest an evaluation of you, such as outstanding, leading, expert, virtuous, or eminent?                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 5)  | Refer to a status (Veteran, Activist, Founder, Scholar), rather than a profession, vocation, or occupations?                 | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 6)  | Abbreviate the word “retired”?   | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 7)  | Place the word “retired” after the words it modifies? Example: Accountant, retired   | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 8)  | Use an word or prefix (except “retired”) such as “former” or “ex-” to refer to a former profession, vocation, or occupation? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 9)  | Use the word “retired” along with a current profession, vocation, or occupation? Example: Retired Firefighter/Teacher        | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 10) | Use the name of a political party or political body?   | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 11) | Refer to a racial, religious, or ethnic group?   | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 12) | Refer to any activity prohibited by law?   | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |

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

<b>X</b>	<div style="display: flex; justify-content: space-between; align-items: center;"> <span style="font-size: 2em;">/</span> <span style="font-size: 2em;">/</span> </div>
<b>Candidate’s Signature</b>	<b>Date Signed:    Month    Day    Year</b>

For your reference, attached are [Elections Code sections 13107, 13107.3, and 13107.5](#), and [California Code of Regulations \(CCR\), title 2, section 20711](#). You also may wish to consult [CCR, title 2, sections, 20712-20719](#) (found at [www.sos.ca.gov](http://www.sos.ca.gov)).



COMPLETE THIS PAGE ONLY IF one or more Alternate Ballot Designation(s) are provided. If this page is not applicable, please initial: \_\_\_\_\_.

Justification for  
 Alternate Ballot  
 Designation(s) 1

A

<b>Justification for use of 1<sup>st</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:
<b>Justification for use of 2<sup>nd</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:
<b>Justification for use of 3<sup>rd</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:

Justification for  
 Alternate Ballot  
 Designation(s) 2

B

<b>Justification for use of 1<sup>st</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:
<b>Justification for use of 2<sup>nd</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:
<b>Justification for use of 3<sup>rd</sup> PVO:</b>		
Current or most recent job title:	Start/End Dates:	
Employer Name or Business:		
<b>Person who can verify this information:</b>		
Name:	Phone Number(s):	Email:



California Secretary of State  
BALLOT DESIGNATION WORKSHEET  
Page 4

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

(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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) It would mislead the voter.



**California Secretary of State**  
**BALLOT DESIGNATION WORKSHEET**  
**Page 5**

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

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

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

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

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

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

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

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

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

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

(h) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days before 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:***

(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:***

(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, California Code of Regulations section 20711 is reproduced below:***

(a) In order to facilitate review of a candidate's proposed ballot designation by the Secretary of State pursuant to Elections Code § 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.



**California Secretary of State**  
**BALLOT DESIGNATION WORKSHEET**  
**Page 6**

(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 § 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 § 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 § 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 § 20714, subdivision (b).
  - (D) If the candidate submits a ballot designation pursuant to Elections Code § 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 § 13107(e), that request shall be accompanied by a Ballot Designation Worksheet.

# APPENDIX II

FPPC SCHEDULE AND FAQ

**Campaign Financial Disclosure  
Filing Schedule Coming Soon**

# California Fair Political Practices Commission

## Frequently Asked Questions: Campaign Activity

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<b>Getting Started</b> .....Page 1	<b>Ballot Measure Committees</b> .....Page 3
<b>Fundraising</b> ..... Page 4	<b>Expenditures</b> ..... Page 6
<b>Communications</b> ..... Page 7	<b>24-Hour Contribution Reports</b> ... Page 7
<b>Enforcement</b> ..... Page 8	<b>Candidates</b> .....Page 8

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The FAQs listed below are selected from questions people frequently ask the FPPC about campaign-related activity under the Political Reform Act (“Act”). All efforts have been made to provide helpful, easy to understand, answers to common questions. Please note that this fact sheet cannot address all of the unique variables and circumstances related to campaign activity. For more information, see the FPPC’s campaign disclosure manuals or contact the FPPC with specific questions.

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### Getting Started Questions

1. Q. When must a committee file a Statement of Organization (Form 410) with the Secretary of State’s office?
  - A. The Form 410 is required to be filed within 10 days of raising \$2,000 or more, which is the threshold for qualifying as a committee.
2. Q. Is it possible for a committee to receive a committee ID number prior to meeting the \$2,000 threshold?
  - A. Yes. The Secretary of State will issue a committee ID number upon receipt of the Form 410, even if \$2,000 or more has not yet been raised. The “Not Yet Qualified” box should be marked and once the \$2,000 threshold is met, an amendment must be filed within 10 days to report the date the committee qualified.
3. Q. Is there a fee to register as a committee?
  - A. Yes. Committees are required to pay a \$50 fee to the Secretary of State within 15 days of filing the Form 410. In addition, a \$50 fee is required to be paid to the Secretary of State by January 15 of each year until the committee terminates.
4. Q. Who must be identified on the Form 410?
  - A. The name and contact information of the treasurer and principal officers, if any, must be provided, in addition to any candidate controlling the committee. If the committee will have an assistant treasurer, his or her contact information must be also included.
5. Q. Are there any specific accounting qualifications for someone to serve as a committee’s treasurer?
  - A. No. However, no individual should accept the position as a mere figurehead. To adequately perform the duties, the treasurer must have a basic understanding of the campaign finance laws and the responsibilities of a committee treasurer.

6. Q. May a candidate serve as his or her committee's treasurer?
- A. Yes.
7. Q. Who is considered the principal officer for a non-candidate controlled committee?
- A. The principal officer(s) is the individual or individuals responsible for approving the political activities of a committee, including: 1) authorizing the content of committee communications; 2) authorizing the committee's expenditures; and, 3) determining the committee's campaign strategy. The principal officer must ensure that accurate records are maintained and may be held liable for violations. A committee may have several principal officers. If there are more than three individuals serving as principal officers, only three must be identified on the Form 410. If no individual other than the treasurer is a principal officer, the treasurer must be identified as both the treasurer and the principal officer.
8. Q. After filing a Form 410, what is the next form required to be filed?
- A. Typically, the Form 497 (24-Hour Contribution Report) is the next required form. In fact, the Form 497 may be required to be filed *before* the Form 410 is required if the committee qualifies within the 90 days before the election or on the date of the election. During this period, a committee must file a Form 497 within 24 hours each time it receives contributions that total in the aggregate \$1,000 or more from a single source.
9. Q. What are the requirements for naming a candidate's committee or a committee primarily formed to support or oppose a ballot measure?
- A. For a candidate's campaign committee, the name must include the candidate's last name, office sought, and year of the election. For example, "Wallace for Supervisor 2020" or "Re-Elect Rosa in 2020 for Water Board" would meet the naming requirements.
- For a primarily formed ballot measure committee, the name must include:
- The measure's designation (e.g., Proposition 124; Measure BB);
  - The committee's position (support or oppose) on the measure;
  - If sponsored, the name(s) of the sponsor(s) (e.g., "sponsored by the Auto Dealers Association");
- For a comprehensive list of all committee naming requirements, see the Form 410 instructions.
10. Q. May a committee use an electronic recordkeeping system or are records required to be kept on paper?
- A. Electronic records are permitted so long as all of the required information is collected and recorded in a timely and uniform manner that ensures the information is accurate and reliable. Committees are responsible for ensuring that electronic records can be read and/or printed for auditing purposes during the required retention period – four years from the date the campaign statement was filed.

11. Q. Is a committee required to have a tax ID number?

- A. The FPPC does not require a tax ID number; however, some banks may require one in order to open a campaign bank account. A tax ID number may be requested through the Internal Revenue Service website, [www.irs.gov](http://www.irs.gov).

### **Ballot Measure Committee Questions**

12. Q. A group has raised \$2,000 to circulate petitions for a ballot measure. When does the group trigger reporting obligations?

- A. Reporting obligations begin when proponents start gathering signatures (initiative) or when a legislative body acts to place the proposal on the ballot (referendum). Certain contributions received and expenditures made are required to be disclosed even if they were received or made before the proposal became a measure. (See Campaign Disclosure Manual 3 for details.)

13. Q. May a candidate control a ballot measure committee? If so, is the candidate required to file a Form 501 (Candidate Intention Statement)?

- A. Yes, a candidate may control a ballot measure committee so long as the committee's funds are not used to support the candidate's election or to support or oppose other candidates. The candidate's last name must be included in the committee name and the Form 410 requires specified information to be disclosed related to the measure or measures for which the committee is formed. A Form 501 is not required.

14. Q. Are there any special reporting requirements for ballot measure committees controlled by a candidate?

- A. Ballot measure committees controlled by a **state** officeholder (e.g., Governor, legislator) or a candidate for elective **state** office have additional disclosure requirements when reporting expenditures. For each expenditure of \$100 or more, the committee must identify the measure or potential measure associated with the expenditure. For example, a payment to a campaign consultant for research or polling on a specific measure in a local jurisdiction could state: Research/polling for Measure B, City of Sacramento. A committee's expenditures for operating costs, administrative overhead, fundraising, travel, compliance costs and attorney fees do not require the itemization if the payment cannot be attributed to a specific measure or potential measure.

15. Q. During the 90 days before an election, a local primarily formed ballot measure committee for Measure A made a \$10,000 contribution to another primarily formed ballot measure committee for Measure A. Does this contribution trigger the filing of a 24-hour Contribution Report (Form 497)?

- A. Yes, both committees are required to file a Form 497, even if they are both formed to support the same ballot measure.

16. Q. During the 90 days before an election, supporters of a ballot measure, in coordination with the primarily formed ballot measure committee, will be paying for phone banks. The payments will be considered nonmonetary contributions to the primarily formed ballot measure committee. Rather than file several reports, may the committee file one Form

497 estimating the value of all nonmonetary contributions anticipated to be received from this source during the 90-day period before the election and on the date of the election?

- A. Yes. The committee may make a good faith estimate of the value that will be contributed during the period. The Form 497 must be filed within 48 hours of receiving the initial \$1,000 in nonmonetary contributions. If the actual value differs from the estimated amount by 20 percent or more, an amendment must be filed within 24 hours of determining the correct amount.

17. Q. If a non-profit organization makes a contribution to a primarily formed ballot measure committee, what are the campaign reporting requirements for the non-profit organization?

- A. Depending on the amount of the contribution and several other factors, the organization may be required to register as a recipient committee and file campaign reports disclosing its donors or the organization may instead qualify as a major donor committee and be required to file the Form 461. To determine the applicable reporting requirements, see the detailed information in the [Multipurpose Organizations Reporting Political Spending fact sheet](#).

### **Fundraising Questions**

18. Q. If a committee receives two monetary contributions of \$99 from one contributor, must the contributor be itemized?

- A. Yes. When a person's contributions, including monetary, non-monetary, and loans, aggregate to \$100 or more in a calendar year, the contributor must be itemized on all applicable schedules of the Form 460.

19. Q. A committee is hosting a dinner fundraiser. The committee is charging \$100 per person, but the actual cost of the event to the committee will be \$25 per person. When a person purchases a ticket to attend, what amount is considered as the contribution received?

- A. The contribution received is \$100. The entire cost of the ticket for the fundraiser is the amount of the contribution – the actual costs to the committee are not subtracted from the ticket price.

20. Q. A committee is going to charge \$50 per person at their next fundraiser. May an attendee pay with a \$100 bill?

- A. No. Even if change is immediately provided, a committee may not accept \$100 or more in cash from a single source. The payment must be made by personal check, debit card, or credit card.

21. Q. Is volunteer work provided by some people considered a nonmonetary contribution because of the volunteer's profession, such as free legal advice provided by a lawyer or bookkeeping done by a CPA?

- A. No. Volunteer personal services, regardless of the profession of the individual, are not reportable, so long as the individual providing the services is not paid by a third party.

22. Q. An individual is hosting a fundraising event in her home for a friend who is running for city council. She will spend \$425 to provide tea, coffee, wine, cheese, and fruit. Is the amount she pays for the event considered a nonmonetary contribution to the candidate?
- A. No. So long as she does not spend more than \$500, the event meets the home/office fundraiser exception. **Note:** The home/office fundraiser exception does not apply to a state lobbyist (or a cohabitant of a lobbyist) or a lobbying firm.
23. Q. May a private service, such as PayPal, be used to collect contributions electronically?
- A. Yes, so long as for each contribution of \$100 or more, (a) the service is able to provide the name of the contributor, and (b) the committee reports all the information needed to meet the statutory recordkeeping requirements, including the name, address, occupation, and employer of individual contributors of \$100 or more. Even if the company deducts a fee from the amount of the contribution, the entire amount of the contribution must be disclosed. The fees charged by the private service are reported as expenditures.
24. Q. May a committee accept a contribution in the form of bitcoin, a type of digital currency?
- A. No. Contributions may not be made or received in cryptocurrency.
25. Q. If a committee receives a contribution of \$100 from an individual, but the individual did not provide the required occupation and employer information, what should the committee do?
- A. The individual contributor should be contacted to obtain the occupation and employer information. If the committee is required to report the contribution before the information is received, the committee should indicate on its campaign statement that the information has been requested and the statement will be amended when the information is received. However, if an individual's occupation and employer information is not received within 60 days of receiving the contribution, the contribution must be returned.
26. Q. A business donated the use of an employee to work on two ballot measure campaigns during the month before the election. The employee spent a total of seven percent of her compensated time working on one measure and seven percent of her compensated time on the other measure. Since more than 10 percent of her compensated time was not spent on a single campaign, is her compensated time required to be reported as a nonmonetary contribution to the ballot measure committees from her employer?
- A. Yes. If an employee spends more than 10 percent of his or her compensated time working on campaign activity (one or multiple campaigns) in a calendar month, a nonmonetary contribution from the business must be reported. In this situation, each ballot measure committee must report a nonmonetary contribution in the amount of seven percent of the employee's compensated time. The value of the nonmonetary contribution is based on her gross salary; standard benefits (i.e., retirement and health care) do not need to be counted.

27. Q. If a committee receives a large contribution from an individual or entity, are there any special noticing requirements?
- A. Yes. Generally, if a committee receives a contribution of \$5,000 or more from an individual or entity, the committee must notify the contributor in writing *within two weeks* that he or she may need to file a major donor report. In the 90 days before an election, if a contribution of \$10,000 or more is received, the notification must be sent *within one week*. Language for the notice is found in the applicable campaign disclosure manual. An individual or entity qualifies as a major donor if contributions totaling \$10,000 or more are made in a calendar year to California (state and local) candidates and committees.

### **Expenditure Questions**

28. Q. How does a committee report printing expenses of \$100 or more paid for with the committee's credit card?
- A. The name and address of the credit card company and the amount paid must be listed on Schedule E or F of the Form 460, and the printing vendor's name and address must be listed underneath with the amount paid to that vendor. Another example of "subvendor" reporting is when a campaign consultant purchases television advertisements, the names of the stations that air the advertisements must be listed. The campaign disclosure manuals contain examples of how to report subvendors on the Form 460.
29. Q. Is it permissible for a committee to have an agreement with an independent contractor (e.g., committee fundraiser) to pay additional money if fundraising goals are surpassed?
- A. Yes, under the Act, a contingency agreement may be made, such as a committee paying a bonus to a contractor if fundraising goals are met or a committee not paying a contractor unless a particular outcome is achieved. The arrangement should be made as part of a written contract. (Note that the Act strictly prohibits contingency fees to a lobbyist for the outcome of legislation or to a placement agent for securing an investment from a state retirement board.)
30. Q. Is it permissible to purchase gifts using campaign funds?
- A. Campaign funds may be used to purchase a gift only if the payment is *directly related* to a political, legislative, or governmental purpose. Detailed information on the permissible use of campaign funds may be found in the [campaign disclosure manuals](#). In addition, there are special reporting rules for candidate controlled committees when reporting expenditures for gifts, meals, and travel. (See Question #57 below.)

### **Communications Questions**

31. Q. What are the disclosure requirements for a mass mailing sent by a candidate?
- A. When a candidate sends a mass mailing (more than 200 pieces of the same or similar mail in a calendar month), the words “paid for by” and the name and address of the candidate’s committee must appear on the outside of the mailing in no less than six-point type and in a color that contrasts with the background. If two or more candidate controlled committees pay for the mailer, the name and address of at least one of the committees must be shown on the outside and the names and addresses of all committees must appear on at least one insert. The committee ID number is not required to be included, but the FPPC recommends that committees include the committee ID number on all public campaign materials.
32. Q. If a committee has more than one address, may any of the addresses be used on mass mailings?
- A. Any address that is on the committee’s Statement of Organization (Form 410) on file with the Secretary of State’s office may be used.
33. Q. Are emails sent by a candidate’s committee required to include an advertisement disclaimer statement?
- A. Yes. Mass mailings, including emails, must include a “paid for by” disclaimer (e.g., “Paid for by Jones for Supervisor 2020”).
34. Q. How does a committee report payments made to a person to provide favorable or unfavorable content on an Internet site about a candidate or ballot measure?
- A. For each payment of \$100 or more, use the code “WEB” and report the amount of the payment, the payee, the name of the individual providing content, and the website name or URL on which the communication is published in the first instance.
35. Q. Does a candidate or committee incur reporting obligations if an unpaid blogger or other individual endorses his or her candidacy in their Internet communications?
- A. No. Uncompensated Internet activity, including blogging, social networking, sending or forwarding an email, or providing a link to a website, does not trigger a reporting obligation.
36. Q. Does the FPPC have a summary of the requirements for disclaimers on advertisements?
- A. Yes, a summary of the requirements, as well as charts for each type of committee are available [here](#).

### **24-Hour Contribution (Form 497) Report Questions**

37. Q. If a contribution of \$1,000 or more is made to one of a candidate’s campaign committees (e.g., legal defense, ballot measure, past election), but not to the committee that is formed for the election triggering the 90-day reporting, are the candidate and/or the donor required to file a Form 497?

- A. Yes. When a candidate is in a 90-day reporting period, each contribution of \$1,000 or more to any of his or her committees requires the Form 497 to be filed by both the candidate and the donor.
38. Q. During the 90-day reporting period, must a candidate file a Form 497 if a contribution of \$500 is received by one of the candidate's campaign committees (e.g., legal defense, ballot measure, past election) and another contribution of \$500 from the same donor is received by the committee that is formed for the election triggering 90-day reporting?
- A. No. Because a single committee did not receive \$1,000 or more, the candidate is not required to file a Form 497. The donor is also not required to file a Form 497 as the donor did not make a contribution of \$1,000 or more to a single committee.
39. Q. A candidate received \$500 from a donor for the special primary election a few days before the election, and another \$500 from the same donor a few days after the primary election when the candidate moved to the special general election. Both contributions were received during the 90 days before the general election. Is a Form 497 required to be filed by the donor and/or the candidate?
- A. No. Because \$1,000 or more was not received in connection with one election, the Form 497 is not required to be filed.
40. Q. Must a candidate file a Form 497 if, during the 90 days before the election or on the date of the election, he or she makes a contribution of \$1,000 or more from personal funds to his or her campaign?
- A. Yes. The candidate's personal funds are contributions and subject to reporting in the same manner as other contributions received.
41. Q. What are the 24-hour contribution report (Form 497) requirements for contributions received by a political party committee?
- A. A political party must report each contribution of \$1,000 or more received within 90 days of **any** state election or on the date of a state election (including a special election). If the contributor is a committee, the contributor must also file the Form 497 within 24 hours.

### **Enforcement Question**

42. Q. If a campaign statement is filed late, what are the potential consequences?
- A. The filing officer with whom the statement is required to be filed may assess a fine of up to \$10 for each day that the statement is late (or up to \$20 per day for a statement and a copy). In addition, filing officers are required by law to refer non-filers to an enforcement authority. If a matter is referred to the FPPC's Enforcement Division for failure to file, the fine may increase up to a maximum of \$5,000 per violation. In 2017, 149 committees were fined by the FPPC for failing to timely file campaign statements.

### **Candidate Questions**

43. Q. When may a candidate begin to solicit and raise funds for an election?
- A. Upon filing a Candidate Intention Statement (Form 501), a candidate may begin to solicit and receive contributions. The Form 501 is considered filed when it is personally delivered or placed in the mail to the filing officer.

44. Q. Is a candidate required to file a Form 501 when running for reelection to the same office?
- A. Yes. A separate Form 501 is required for each election, including reelection to the same office.
45. Q. If a candidate does not intend to raise any funds from others and will be spending personal funds only for the filing fee and ballot statement fee, is the candidate required to file a Form 501 and open a campaign bank account?
- A. No, the candidate is not required to file a Form 501 or open a bank account; only the Form 470 (Campaign Statement – Short Form) is required.
46. Q. If a candidate does not intend to raise funds from others, but will be spending \$2,000 or more of his or her personal funds on his or her campaign (in addition to the filing fees and ballot statement fees), is the candidate required to open a bank account?
- A. Yes. Even if a candidate does not raise funds from others, if he or she spends \$2,000 or more on the campaign (not counting personal funds spent on filing fees and ballot statement fees), he or she qualifies as a committee and must open a campaign bank account. Campaign funds may not be commingled with personal funds.
47. Q. What are the rules related to a candidate spending personal funds on his or her own campaign?
- A. Except for payments for the filing fee, ballot statement fee, and \$50 Secretary of State annual committee fee, a candidate must deposit personal funds into the campaign bank account before making campaign expenditures, even if he or she does not want to be reimbursed. Personal funds may be reported as loans or monetary contributions. Personal funds may not be commingled with campaign funds and campaign expenditures may not be made from a personal account.
48. Q. Prior to learning that it was not permitted, a candidate starting up his campaign used personal funds to pay for some campaign expenses. How is this reported on the Form 460?
- A. So that the activity is properly disclosed, the amount of personal funds used should be reported on Schedule A as a contribution and the expenditure is reported on Schedule E. If the candidate has not yet been reimbursed by the committee, the amount may be reported on Schedule F as an accrued expense. Non-disclosure of the payments is a violation of the Act. All future payments must be made from the campaign bank account; personal funds must be deposited into the account before making expenditures.
49. Q. May a campaign worker use personal funds to make campaign expenditures and be reimbursed by the committee?
- A. Yes. Anyone other than the candidate may use personal funds to make campaign expenditures, such as purchasing printing, and be reimbursed after providing a receipt or invoice to the campaign. However, if the campaign does not reimburse the individual who made the expenditure within 45 days, the committee must report the amount expended as a nonmonetary contribution received.

50. Q. What are the contribution limits for local elections?
- A. The Act does not impose contribution limits on local elections. However, many local jurisdictions have adopted campaign finance ordinances that include contribution limits. Contact the city clerk or county elections office to determine if there are local contribution limits. The FPPC's website also posts local campaign ordinances.
51. Q. If a candidate occasionally uses his or her personal vehicle to attend campaign events and meet with voters, is the use of the vehicle reportable even if the candidate does not want to be reimbursed for the mileage?
- A. Incidental use of a candidate's personal vehicle for campaign purposes is not considered a contribution or expenditure and is not reportable. However, if the use of the vehicle is directly related to a political, legislative or governmental purpose, and the candidate would like to be reimbursed by the committee, the reimbursement must be made at the rate approved by the Internal Revenue Service pursuant to Section 162 of the Internal Revenue Code.
52. Q. If a candidate makes long-distance calls using his or her home phone to request support from organizations statewide, may committee funds be used to pay the phone bill?
- A. Committee funds may be used for the campaign portion of the bill; however, the non-campaign portion must be paid with personal funds.
53. Q. If a candidate is defeated in a local election, may the leftover funds be used to run again in the next local election?
- A. Yes, if specified requirements are met. An unsuccessful candidate who plans to run for the *same office* in a future election must file a new Form 501 and an amended Form 410 **before** the funds become surplus. Leftover funds become surplus 90 days after an official leaves office (incumbents) or 90 days after the end of the post-election reporting period, whichever is later. The end of the post-election reporting is June 30 for elections held between January 1 and June 30, and December 31 for elections held between July 1 and December 31. (Note: Candidates should check with the local jurisdiction to determine if there is a local ordinance that does not allow a candidate to use the same committee for a future election.)
- An unsuccessful candidate who plans to run for a *different office* must file a new Form 501, a new Form 410, and open a new campaign bank account and transfer the funds **before** the funds become surplus as described above.
54. Q. If a candidate receives a refund for a filing fee after his or her committee has already been terminated, must the committee and bank account be reopened in order to accept the refund?
- A. No. Candidates are allowed to accept refunds from a governmental entity without reopening the committee and campaign bank account.
55. Q. If a candidate controls a ballot measure committee, must the ballot measure committee file a preelection statement when the candidate's committee is required to?
- A. Yes. If a candidate has multiple controlled committees, each of the committees are required to file on the dates the candidate is required to file preelection statements in connection with his or her election to office. (See Regulation 18405.)

56. Q. May a law enforcement officer, who is running for city council, wear his or her uniform at campaign events or when appearing in political advertisements for his or her campaign?

A. The Political Reform Act does not contain restrictions related to a candidate wearing a law enforcement uniform; however, other laws may apply. The candidate should contact the District Attorney or City Attorney.

57. Q. What are the special reporting requirements for expenditures made by a candidate controlled committee when purchasing gifts, travel, and meals?

A. Itemized expenditures made by a candidate controlled committee for gifts, meals, or travel, must be further explained in the "Description of Payment" column, whether or not an expenditure code is used, as described below.

**Gifts:** Briefly describe the political, legislative, or governmental purpose of the expenditure, and provide the date of the gift and a description of the gift. If the gift was made to an individual recipient, the name of the recipient must be included. If a gift was made to a group of recipients, the name of each recipient who received a benefit of \$50 or more is required. When the recipient of a gift with a value of \$50 or more is not known at the time the payment is required to be reported, the committee must report that the gift was for an "undetermined recipient." Once the gift has been given to the recipient, the campaign statement must be amended within 45 calendar days to disclose the name of the recipient.

**Meals:** Briefly describe the political, legislative, or governmental purpose of the expenditure, and provide the date of the meal, the number of individuals who were present at the meal, and whether the candidate, a member of his or her household, or an individual with authority to approve expenditures of campaign funds was present at the meal. It is not necessary to include the names of individual attendees on the report. However, the names of the attendees must be maintained in the committee's records. For meals reported as an itemized expenditure for travel, the reporting rules below apply.

**Travel Payments (including lodging and meals):** Briefly describe the political, legislative, or governmental purpose of the expenditure, and provide the date or dates of the travel, the destination, and the goods or services purchased. The description must also include the number of individuals for whom the payment was made and whether the trip included the candidate, a member of his or her household, or an individual with the authority to approve expenditures of campaign funds. The names of individuals who traveled are not required to be disclosed on the report. However, the names of the travelers must be maintained in the committee's records.