

WRITING ARGUMENTS, REBUTTALS AND ANALYSES FOR LOCAL MEASURES



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Registrar of Voters
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Revised: July 2016

This guide was developed to provide answers to questions frequently asked of the Santa Barbara County Elections Office concerning arguments, rebuttals and analyses for local measures. It is for general information only and does not have the force and effect of law, regulation or rule. In case of conflict, the law, regulation or rule will apply. Persons using this guide must bear full responsibility to make their own determinations as to all legal standards and duties. For information on city measures, please contact your City Clerk.

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ARGUMENTS FOR AND AGAINST

- **Signers:** The governing board (The Board of Supervisors, school board or special district board) or any member or members of the legislative body, or any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of these voters and associations may file a written argument for or against any county, school or district measure placed on the ballot by the governing body or county initiatives placed on the ballot through the petition process. (§§9120, 9162, 9501)

The persons filing a district initiative petition may file an argument in favor of the proposed ordinance. The district board may submit an argument against the ordinance. (§9315)

- The **filer** does not have to be a **signer** of the argument.
- Ballot arguments for **county and special district measures** must be accompanied by the name or names of the person or persons filing it, or if filed on behalf of an organization, the name of the organization and the name of at least one of its principal officers. No more than five signatures shall appear with any argument submitted for or against a county or special district measure. In cases where an argument is signed by more than five persons, the signatures of the first five will be printed. (§9164)
- Ballot arguments for **school district measures** must be accompanied by the printed name and signature or printed names and signatures of the person or persons submitting it or, if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers. No more than five signatures shall appear with any argument submitted under this article. In cases where an argument is signed by more than five persons, the signatures of the first five will be printed. (§9501.5)
- If more than one argument for or against any **county, district or school measure** is submitted, the county elections official shall select one for printing in the voter's Sample Ballot pursuant to the following priority:
 1. The Board of Supervisors or governing board, or member of members of the board authorized by the board;
 2. The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure;
 3. Bona fide association of citizens;
 4. Individual voters who are eligible to vote on the measure. (§§9166, 9503)
- Arguments must not exceed 300 words (§§9162, 9315, 9501)

REBUTTALS

- The authors of the argument in favor or argument against a measure may prepare and submit rebuttal arguments, or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. No more than five people may sign the rebuttal. An "Authorization for Another Person or Persons to Sign the Rebuttal" is contained in this packet and should be filed at the same time the rebuttal is filed. (§§9167, 9317,9504)
- Rebuttals must not exceed 250 words. (§§9167, 9317, 9504)

IMPARTIAL ANALYSIS

- County Counsel is required to prepare an impartial analysis of a county or school measure. (§§9160, 9500)
- The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the board of supervisors, city governing body, or district governing body, respectively. An impartial analysis for a school district ballot measure shall include a statement indicating that the measure was placed on the ballot by the governing board of the school district (§§9160, 9280, 9313, 9314, 9500)
- The impartial analysis must not exceed 500 words. (§§9160, 9313, 9314 9500)
- For special district initiatives, the county counsel or district attorney if there is no county counsel with the largest number of registered voters shall prepare an impartial analysis. (§9313)
- If the district is a water district, the counsel for the water district, or if there is no counsel for the water district, the county counsel of the county with the largest number of registered voters shall prepare an impartial analysis. If there is a legal counsel for the water district, the analysis shall be subject to review and revision by the county counsel. (§9314)

FISCAL ANALYSIS

- The County Auditor-Controller may be requested by the Board of Supervisors no later than 88 days prior to an election to prepare a fiscal analysis of a county measure. The fiscal impact statement shall not exceed 500 words. (§9160)

TAX RATE STATEMENT

- Each bond measure proposed by a county, city, district or other political subdivision or by any agency, department, or board thereof, the security of which constitutes a lien on the property within the jurisdiction, shall mail a tax rate statement with the Sample Ballot. (§§9400, 9401) The statement shall be filed with the elections official not later than the 88th day prior to the election.

The law does not specify a word limit for such statements.

ORDER OF APPEARANCE IN VOTER'S SAMPLE BALLOT

- Arguments, rebuttals and analyses are printed in the voter's Sample Ballot and mailed to all registered voters in the jurisdiction eligible to vote for the particular measure. The arguments will appear in the following order:
 1. Analysis
 2. Fiscal Analysis or Tax Rate Statement
 3. Argument For
 4. Rebuttal to Argument For
 5. Argument Against
 6. Rebuttal to Argument Against

LETTERING OF MEASURES

- Letters designating measures will be assigned by the elections official pursuant to Elections Code §13116. Measures will be assigned in alphabetical order beginning with the letter following the last letter assigned in the previous election and continuing through Z.
- For districts that overlap into other counties, the counties will mutually agree to use a letter designation for the measure that will not conflict or confuse the voter.
- Measures will appear on the ballot in the following order pursuant to Elections Code §13109: County Board of Education, College, Unified Schools, High Schools, Elementary Schools, County, Cities, Districts. SIGNATURE STATEMENT
- Each argument and rebuttal must be accompanied by the Signature Statement included in this Guide. (Elections Code §9600)

DEADLINES

Contact the Elections Official at (805) 568-2200 for deadlines for a particular measure.

Arguments: Arguments are due by 5 p.m. on the deadline date chosen by the Elections Official. Once an argument for and against a measure is chosen, a copy will be provided to the opposing authors for the purpose of writing a rebuttal. Arguments are available to the public after the 5 p.m. deadline.

Tax Rate Statement: Tax Rate Statements must be supplied for each bond issue proposed by a county, city, district or other political subdivision. The statement shall be filed with the elections official not later than the 88th day prior to the election. Statements are available to the public after the 5 p.m. deadline.

Rebuttals: 10 days after the argument is due, rebuttals are due by 5 p.m. Rebuttals are available to the public after the 5 p.m. deadline.

Analysis: County Counsel prepares an impartial analysis of each measure and it is filed on the same day as arguments are due. If requested by the Board of Supervisors, the County Auditor may also submit an analysis. Analyses are public after the 5 p.m. deadline.

Place to File: Santa Barbara County Elections Offices:
Santa Barbara – 4440-A Calle Real
Santa Maria – 511 E. Lakeside Parkway Suite 134
Mailing address: PO Box 61510, Santa Barbara, CA 93160-1510

Filing by FAX: ALL faxed signatures on arguments, rebuttals and analyses must appear on the same page as the text of the argument, rebuttal or analysis. Original signatures must be presented to the elections official within 48 hours of transmission or the item(s) will not be considered as filed (weekends and holidays excepted). Faxing must be started prior to 5 p.m. on deadline days to be accepted as filed. The FAX number is (805) 568-2209.

Confidentiality: Arguments, rebuttals and analyses shall remain confidential until after 5 p.m. on the date they are due.

Changes or Withdrawal of Arguments: Arguments may be changed until and including the date fixed by the elections official. (§§9163, 9502, 9316, 9601)

Public Inspection: For 10 calendar days immediately following the deadline for final submission of election documents, including ordinances, analyses, arguments and rebuttals, the county elections official shall make a copy of the materials available for public inspection. A writ of mandate or injunction may be sought to require amendments or deletions to any or all of the materials. (§§9190, 9380, 9509)

HOW TO WRITE YOUR ARGUMENT, REBUTTAL OR ANALYSIS

- Be accurate. **Documents will be printed as submitted.** Spelling, punctuation, and grammatical errors will not be corrected by the Elections Office.
- An argument, rebuttal, analysis or tax rate statement must be written to address a single measure on the ballot. A document combining statements pertaining to more than one measure will not be accepted.
- All arguments and rebuttals must be accompanied by a Signature Statement. See attached. (§9600)
- No more than five signatures will appear with any argument. If more than five are submitted, the first five will be printed. (§§9164, 9501.5)
- ALL signatures on arguments, rebuttals and analyses must appear on the same page as the text of the argument, rebuttal or analysis.
- Arguments, rebuttals, analyses and tax rate statement, including the names and titles of the signers, must be typed to ensure quality and accuracy.
- Do not use profanity or other objectionable language.
- The heading is standardized. (See “Standardized Headings” in this guide.) Subheadings and deviations from the standardized heading will not be accepted.
- Arguments, rebuttals, analyses and tax rate statements are printed in the voter’s Sample Ballot.
- Limited use of **bolding**, CAPITALIZING, underlining, *italics*, centering text, and bullets (small solid circle only) are permitted.

SUBMITTING ARGUMENTS/ANALYSES ON CD OR E-MAIL:

To help reduce costs and to ensure arguments are printed exactly as filed, we encourage you to submit arguments/analyses in electronic format either on CD or by emailing to rbischo@co.santa-barbara.ca.us and hmccaslin@co.santa-barbara.ca.us.

- Word format is preferred.
- Input signatures as:
s/First Last
Title or Name of Association

If the person is signing on behalf of an association, the printed name appears on the first line, followed by the name of the association.

HOW TO COUNT WORDS

(Pursuant to Elections Code Section 9)

Each word is counted as one word except:

PUNCTUATION: Punctuation is not counted.

TITLES: Words used in the title of the document, such as "Argument in Favor of Measure A" are not counted.

GEOGRAPHICAL NAMES: All geographical names shall be counted as one word. Areas that have political boundaries with an elected or appointed board are considered geographic areas by this office. For example, "County of Santa Barbara" and "Carpinteria Unified School District" shall each be counted as one word.

ABBREVIATIONS: Each abbreviation for a word, phrase, or expression shall be counted as one word.

HYPHENATIONS: Hyphenated words that appear in any generally available standard dictionary published in the United States, at anytime 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.

DATES: Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting of only a combination of digits shall be counted as one word. January 1, 2000 shall be counted as two words, whereas 1/1/00 shall be counted as one word.

NUMBERS: Any number consisting of a digit or digits shall be considered as one word. Any number that is spelled shall be considered as a separate word. "100" shall be counted as one word, whereas "one hundred" shall be counted as two words.

PHONE & INTERNET: Web site addresses and telephone numbers shall be counted as one word.

PERCENT SIGNS (%), NUMBER SIGNS (#), ETC.: It is department policy to count numbers consisting of a digit or digits used with a dollar sign (\$), cent sign (~), percentage sign (%), or number sign (#) as one word.

STANDARDIZED HEADINGS

<p>BALLOT QUESTION (Sample Ballot)</p>	<p>A2011 TITLE OF BALLOT QUESTION (IF PROVIDED).</p> <p>If there is no title, the 75-word ballot question will be printed in upper and lower case. Bullets, italics, underlining, and bolding beyond the title, are not permitted in the ballot question.</p>				
<p>ANALYSES:</p>	<p style="text-align: center;">IMPARTIAL ANALYSIS BY COUNTY COUNSEL MEASURE A2011</p> <p>If the full text of a county measure is not printed in the voter's Sample Ballot, pursuant to §9160 (b), following the text of the impartial analysis insert in 10-pt. bold and centered:</p> <p style="text-align: center;">The above statement is an impartial Analysis of Measure A2011. If you desire a copy of the ordinance or measure, please call the Santa Barbara County Elections Office at (805) 568-2000 and a copy will be mailed at no cost to you.</p> <hr/> <p style="text-align: center;">FISCAL IMPACT STATEMENT BY COUNTY AUDITOR-CONTROLLER MEASURE A2011</p> <hr/> <p style="text-align: center;">TAX RATE STATEMENT FOR BOND MEASURE A2011</p>				
<p>MEASURE: (Sample Ballot)</p>	<p style="text-align: center;">SANTA BARBARA COUNTY MEASURE A2011 MEASURE TITLE (Full Text of Ordinance, Resolution, Charter amendment)</p> <p>Text.....</p>				
<p>ARGUMENTS:</p>	<p style="text-align: center;">ARGUMENT IN FAVOR OF MEASURE A2011 or ARGUMENT AGAINST MEASURE A2011</p>				
<p>REBUTTALS:</p>	<p style="text-align: center;">REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE A2011 or REBUTTAL TO ARGUMENT AGAINST MEASURE A2011</p>				
<p>BALLOT:</p>	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;">MEASURES SUBMITTED TO THE VOTERS</td> </tr> <tr> <td style="text-align: center;">COUNTY</td> </tr> <tr> <td style="text-align: center;">A2011 KEY WORD SUMMARY OF MEASURE. 75-word ballot question (§13247)</td> </tr> <tr> <td style="text-align: center;"> </td> </tr> </table> <p>If the bond measure is a school bond, the ballot would read: "Bonds Yes" and "Bonds No" (Education Code §15122)</p>	MEASURES SUBMITTED TO THE VOTERS	COUNTY	A2011 KEY WORD SUMMARY OF MEASURE. 75-word ballot question (§13247)	
MEASURES SUBMITTED TO THE VOTERS					
COUNTY					
A2011 KEY WORD SUMMARY OF MEASURE. 75-word ballot question (§13247)					

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ARGUMENT AND REBUTTAL FORM

ELECTION DATE: _____

BALLOT MEASURE LETTER: _____

JURISDICTION: _____

(Please mark in the appropriate box)

<input type="checkbox"/> Argument in Favor Argument Against 300 Word Limit	<input type="checkbox"/> Rebuttal to Argument in Favor Rebuttal to Argument Against 250 Word Limit
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ALL AUTHORS MUST SIGN ON THE REVERSE SIDE

Please type statements below in upper and lower case letters. Limited use of bolding, CAPITALIZING, underlining, italics, centering text, and bullets (small solid circle only) are permitted. Statement will be typeset in the Official Sample Ballot Booklet using ARIAL font in 10 point size. However, statement can be submitted using any standard font.

DECLARATION BY AUTHOR(S) OF ARGUMENTS OR REBUTTALS
(Elections Code Section 9600)

All arguments concerning measures filed pursuant to Division 9 of the Elections Code shall be accompanied by the following declaration to be signed by each author of the argument/rebuttal. Names and titles listed will be printed in the Voter Information portion of the Official Sample Ballot Booklet in the order provided below.

The undersigned author(s) of the (check one):

<input type="checkbox"/> Argument in Favor	<input type="checkbox"/> Rebuttal to Argument In Favor
<input type="checkbox"/> Argument Against	<input type="checkbox"/> Rebuttal to Argument Against

of ballot measure _____ at the
(name and/or letter)

_____ for the _____ to be held
(name of jurisdiction)

on _____ hereby state that such argument is true and correct to the best of his/her/their knowledge and belief.

1.	_____	_____
	Printed Name	Signature
_____	_____	_____
	Title to Appear on Argument	Date
2.	_____	_____
	Printed Name	Signature
_____	_____	_____
	Title to Appear on Argument	Date
3.	_____	_____
	Printed Name	Signature
_____	_____	_____
	Title to Appear on Argument	Date
4.	_____	_____
	Printed Name	Signature
_____	_____	_____
	Title to Appear on Argument	Date
5.	_____	_____
	Printed Name	Signature
_____	_____	_____
	Title to Appear on Argument	Date

IMPORTANT FILING INFORMATION: I, _____ am the designated filer of the above titled argument/rebuttal. Please notify me of any questions pertaining to this filing. Below is my contact information.

Mailing Address: _____ E-Mail Address: _____

Contact Numbers: _____ Daytime _____ Evening _____ Fax _____

OFFICE USE ONLY

Time Stamp

Word Counts

NUMBER OF WORDS:	_____
ELECTION DEPUTY:	_____

AUTHORIZATION FOR ANOTHER PERSON OR PERSONS TO SIGN REBUTTAL ARGUMENT

One or more persons who signed the argument may be replaced with different people to sign the rebuttal:

I/We authorize the following person(s) to sign the rebuttal to the argument

in favor

against

Measure _____ for the _____ election:

1. _____ to sign on behalf of _____

Signature of Original Filer of the Argument:

_____ Date: _____

2. _____ to sign on behalf of _____

Signature of Original Filer of the Argument:

_____ Date: _____

3. _____ to sign on behalf of _____

Signature of Original Filer of the Argument:

_____ Date: _____

4. _____ to sign on behalf of _____

Signature of Original Filer of the Argument:

_____ Date: _____

5. _____ to sign on behalf of _____

Attach this form to the Argument and Rebuttal Form with the signature statement form.

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