

CALLING AN ELECTION OR PLACING A MEASURE ON THE BALLOT FOR LOCAL JURISDICTIONS



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This guide was developed in an effort to provide answers to questions that are frequently asked of the Santa Barbara County Elections Office concerning when or how to call an election or place a measure on the ballot. 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 elections, or measures, please contact your City Clerk.

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IMPORTANT CODE SECTIONS

Established Election Dates (Elections Code §1000)

The established election dates in each year are as follows:

- (a) The second Tuesday of April in each even-numbered year.
- (b) The first Tuesday after the first Monday in March of each odd-numbered year.
- (c) The first Tuesday after the first Monday in June of each year.
- (d) The first Tuesday after the first Monday in November of each year.
- (e) The first Tuesday in February of each year evenly divisible by the number four.**

Statewide Election Dates (Elections Code §1001)

Elections held in June and November of each even-numbered year and the first Tuesday in February of each year evenly divisible by the number four are statewide elections and these dates are statewide election dates.

Date of State, County, Municipal, District and School Elections (Elections Code §1002)

Except as provided in Section 1003, notwithstanding any other provisions of law, all state, county, municipal, district, and school district elections shall be held on an established election date.

Exceptions to the Above (Elections Code §1003)

This chapter shall not apply to the following:

- (a) Any special election called by the Governor.
- (b) Elections held in chartered cities or chartered counties in which the charter provisions are inconsistent with this chapter.
- (c) School governing board elections consolidated pursuant to Section 1302.2 or initiated by petition pursuant to Section 5091 of the Education Code.
- (d) Elections of any kind required or permitted to be held by a school district located in a chartered city or county when the election is consolidated with a regular city or county election held in a jurisdiction that includes 95 percent or more of the school district's population.
- (e) County, municipal, district, and school district initiative, referendum, or recall elections.
- (f) Any election conducted solely by mailed ballot pursuant to Division 4 (commencing with Section 4000).
- (g) Elections held pursuant to Article 1 (commencing with Section 15100) of Chapter 1, or pursuant to Article 4 (commencing with Section 15340) of Chapter 2 of Part 10 of the Education Code.

Tuesday Elections (Elections Code §1100)

No election shall be held on any day other than a Tuesday, nor shall any election be held on the day before, the day of, or the day after, a state holiday.

REGULAR ELECTION DATES

Local jurisdictions have regular election dates established by the jurisdiction as to when their elected officials are on the ballot. In Santa Barbara County, we have the following scheduled elections:

Jurisdiction	Election Type	Election Year
President	Primary & General	2012, 2016, 2020
Governor, State Offices	Primary & General	2014, 2018, 2022
County Department Heads	Primary & General run-off if needed	2014, 2018, 2022
1 st , 3 rd and 4 th Dist. Supervisors	Primary & General run-off if needed	2012, 2016, 2020
2 nd and 5 th District Supervisors	Primary & General run-off if needed	2014, 2018, 2022
Cities (Buellton, Carpinteria, Goleta, Guadalupe, Lompoc, Santa Maria, Solvang)	General	even-numbered years
Schools	General	even-numbered years
Special Districts.	General	even-numbered years
City of Santa Barbara	Uniform District Election	odd-numbered years

Jurisdictions that are authorized to call for a special election, either to fill a vacancy or propose a measure to voters, may do so on either their regularly scheduled election date listed above or on any of the other established elections listed in Elections Code §1000.

To call an election on any other Tuesday, the jurisdiction must meet specific criteria.

ELECTIONS HELD ON DATE OTHER THAN ESTABLISHED ELECTION DATE

Elections held on a date other than an established election date must be one of the following:

- **Special elections called by the Governor**
- **Charters:** Elections called by chartered counties or cities where the charter provisions provide for other election dates.

Any kind of school district may also be consolidated with these elections if 95% or more of the school district population is contained within the chartered city or county. Elections Code Section 1302.2 reiterates the ability of a school or community college district that shares territory with a charter city to consolidate its governing board election with that charter city's election. The section further allows all component districts of a high school or community college district to consolidate as well. This section makes no reference to the percentage of school territory the city must contain in order to have such a consolidation like Section 1003 (d) requires – it simply calls for inclusion of “territory that is in part the same as the chartered city”.

- **Petition Calling for Election of School Trustee:** School governing board elections where a provisional appointment has been made and a petition is circulated with a sufficient number of signatures calling for a special election to be held are not required to be held on established election dates. The Superintendent of Schools is required to order an election no later than the 130th day after the determination of a sufficient petition.

However, if a regular election date, as defined in Section 1000 of the Elections Code, occurs between the 130th day and the 150th day following the determination, the county superintendent of schools may order the special election to be conducted on the regular election date. (Education Code §5091)

- **Initiative, Referendum and Recall:** Elections held as a result of an initiative, referendum, or recall for any jurisdiction where the additional threshold of valid signatures was collected can force the question to an election date other than an established election date.
- **All Mail Ballot:** Any election conducted solely by mailed ballot. Refer to the Mail Ballot Elections section below.
- **School Bonds – 2/3 vote¹:** The school governing body or initiative petition can place a 2/3 vote school bond question on a ballot on any Tuesday. Such an election may not be held within 45 days before a statewide election or within 45 days after a statewide election unless conducted at the same time as the statewide election or in an established polling place or mail ballot election date pursuant to Section 1000 and 1500 of the Elections Code. (Education Code §§15100, 15340, 15101)

¹ Proposition 39 passed by voters in November 2000 authorized voters to pass certain school bond measures with 55% of the vote. Education Code §15266 was subsequently added by the Legislature (Ch. 44, 2000, AB 1908) to clarify that such elections would only be held on a regularly scheduled local or statewide election – NOT on any Tuesday.

MAIL BALLOT ELECTIONS

Some elections conducted by all mail ballots are also exempt from calling elections on the established election dates.

Established Mailed Ballot Election Dates (Elec. Code §1500)

The established mailed ballot election dates are as follows:

- (a) The first Tuesday after the first Monday in May of each year.
- (b) The first Tuesday after the first Monday in March of each even-numbered year.
- (c) The last Tuesday in August of each year

Conditions for conducting all-mail ballot elections (Elec. Code §4000)

A local, special, or consolidated election may be conducted wholly by mail provided that all of the following conditions apply:

- (a) The governing body of the local agency authorizes the use of mailed ballots for the election.
- (b) The election is held on an established mailed ballot election date pursuant to Section 1500
- (c) The election is one of the following:
 - (1) An election in which no more than 1,000 registered voters are eligible to participate.
 - (2) An election on a measure or measures restricted to (A) the imposition of special taxes, or (B) expenditure limitation overrides, or (C) both (A) and (B), in a city, county, or special district with 5,000 or less registered voters calculated as of the time of the last report of registration by the county elections official to the Secretary of State.
 - (3) An election on the issuance of a general obligation water bond in accordance with Section 12944.5 of the Water Code.
 - (4) An election of the Directors of the Monterey Peninsula Water Management District as authorized in Section 122 of Chapter 527 of the Statutes of 1977, known as the Monterey Peninsula Water Management District Law.
 - (5) An election of the Aliso Water Management Agency, or its affected member agencies, pursuant to Sections 13416 and 13417 of the Water Code.
 - (6) An election of the San Jacinto Mountain Area Water Study Agency pursuant to Sections 13416 and 13417 of the Water Code.
 - (7) An election of the San Lorenzo Valley Water District pursuant to Sections 13416 and 13417 of the Water Code.
 - (8) An election or assessment ballot proceeding required or authorized by Article XIIC or XIID of the California Constitution. However, when an assessment ballot proceeding is conducted by mail pursuant to this section, the following rules shall apply:

- (A) The proceeding shall be denominated an "assessment ballot proceeding" rather than an election.
- (B) Ballots shall be denominated "assessment ballots."

“Small Cities” or “Eligible Entity” mailed ballot election (Elections Code §4004)

- (a) "Small city" means a city with a population of 100,000 or less, as determined by the annual city total population rankings by the Demographic Research Unit of the Department of Finance.
- (b) "Eligible entity" means a school district or a special district.
- (c) Notwithstanding Sections 1500 and 4000, an election in a small city or an eligible entity may be conducted wholly as an all-mail ballot election, subject to the following conditions:
 - (1) The legislative body of the small city or the governing body of the eligible entity, by resolution, authorizes the use of mailed ballots for the election.
 - (2) The election is a special election to fill a vacancy in the legislative body or governing body.
 - (3) The election is not held on the same date as a statewide primary or general election.
 - (4) The election is not consolidated with any other election.
 - (5) The return of voted mail ballots is subject to Section 3017.

All other jurisdictions that want to hold an election on a date other than the established election dates, must do so by **all-mail ballot AND** meet one of the following criteria:

1. Have no more than 1,000 registered voters.

However, Elections Code §4108 allows a “district,” regardless of the number of registered voters, to conduct an election by all-mail on an established mail ballot election date (§1500), or on any other date other than an established election date.

2. The election is called by a city, county or special district with 5,000 registered voters or less and the election is for a measure to impose a special tax or a Gann Limit override or both;
3. The election is for a general obligation bond to fund acquisition and construction of works and facilities to enable the local public agency or improvement district to utilize the water supply secured by contract with the state;
4. The election is for a special tax under Article XIIC or XIID of the CA Const. This includes all parcel tax elections regardless of the size or type of jurisdiction.
5. The election is for a general tax pursuant to Proposition 218. The Constitution requires the election be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body; or
6. The measure is an assessment ballot proceeding held pursuant to Proposition 218.

PLACING A MEASURE ON THE BALLOT

WHAT THE ELECTIONS OFFICIAL NEEDS FROM YOU:

In order to request election services the jurisdiction must file with the County Clerk of the Board of Supervisors an original resolution with twelve copies. The resolution must contain language requesting that the Board of Supervisors approve the consolidation with the scheduled election and to allow the county elections official to conduct their election. A copy of the resolution must be submitted to the County Elections office along with the "Request for Election Services" form.

THE MEASURE TEXT

When submitting materials to place a measure on the ballot, indicate clearly in writing, which portion of the resolution, ordinance or full text is to be printed in the Voter's Sample Ballot.

If you do not want the full text of the ballot measure printed in the Voter's Sample Ballot, please provide this direction in writing within the resolution as shown in the example. In this case, instead of measure text, before the analysis of the measure, voters will be directed to contact the Elections Division for a copy of the ordinance or full text of the measure. Jurisdictions will be billed for processing and printing costs.

THE 75-WORD BALLOT QUESTION

Elections Code §13247 and §9051 requires the ballot question to be limited to 75 words. Measures are followed by the words "YES" and "NO." See next page on "How to Count Words."

The words to appear on the ballot for school bond measures are: "Bonds--Yes," "Bonds--No." (Ed. Code §15122)

The words to appear on a ballot for a school reorganization measure, according to Ed. Code §35762 are: "Reorganization of School Districts -- Yes" and "Reorganization of School Districts -- No."

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 §13116 (c).

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. In order to allow for the most efficient use of space, the county elections official may vary the order of the measures.

HOW TO COUNT WORDS

(Pursuant to Elections Code Section 9). This section shall not apply to counting words for ballot designations.

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 boundaries and can be mapped are considered geographic areas. 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 reference dictionary, published in the United States at any time within 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 ADDRESSES: Website addresses and telephone numbers shall be counted as one word.

PERCENT, ETC.: Numbers consisting of a digit or digits used with a dollar sign (\$), cent sign (¢), percentage sign (%), or number sign (#) shall be counted as one word.

EXAMPLE OF A BALLOT MEASURE AS IT WILL APPEAR ON THE BALLOT

MEASURES SUBMITTED TO THE VOTERS	
CITY	
CITY OF CARPINTERIA	
Measure Z KEY WORD SUMMARY OF MEASURE. Followed by the ballot question. The number of words may not exceed 75. <input type="radio"/> Yes <input type="radio"/> No	

The first few words summarizing the measure is in all caps and bold print. Other attributes such as bullets, italics, underlining, and bolding beyond the title, are not permitted in the ballot question.