

Candidate Guidelines  
for the  
Primary Election  
to be held on

**JUNE 5, 2018**

Yolo County Elections  
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Woodland, CA 95695  
(530) 666-8133; Fax (530) 666-8123  
1-800-649-9943 [www.yoloelections.org](http://www.yoloelections.org)

This Candidate's Handbook is intended to provide current and accurate information about the subject matter covered. Candidates, political committees, and anyone interested in elective office should not rely solely on this handbook.

This handbook is not to be a substitute for legal counsel of the individual or candidate using it. Unless otherwise indicated, the material provided in this handbook is a summary rather than a verbatim text of the code section cited.

JESSE SALINAS  
Yolo County Clerk-Recorder

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# Offices up for Election

## OFFICES

### **Federal**

Representative in Congress, 3<sup>rd</sup> District  
Representative in Congress, 6<sup>th</sup> District

### **State**

Member of State Assembly – 4<sup>th</sup> District  
Member of State Assembly – 7<sup>th</sup> District

State Senator- 6<sup>th</sup> District

### **State**

Governor  
Lieutenant Governor  
Secretary of State  
Controller  
Treasurer  
Attorney General  
Insurance Commissioner  
Board of Equalization – 2<sup>nd</sup> District  
State Superintendent of Public Instruction

### **County**

Board of Supervisors  
County Supervisor, 2<sup>nd</sup> District  
County Supervisor, 3<sup>rd</sup> District  
County Clerk-Recorder/Assessor  
District Attorney  
Sheriff-Coroner  
Superintendent of Schools

### **Judicial**

Superior Court Judge  
Superior Court Judge  
Superior Court Judge  
Superior Court Judge

## INCUMBENTS

John Garamendi  
Doris Matsui

Cecilia Aguiar-Curry  
Kevin McCarty

Richard Pan

Jerry Brown Jr.  
Gavin Newsom  
Alex Padilla  
Betty T. Yee  
John Chiang  
Xavier Becerra  
Dave Jones  
Fiona Ma  
Tom Torlakson

Don Saylor  
Matt Rexroad  
Jesse Salinas (appt'd 2016)  
Jeff Reisig  
Ed Prieto  
Jesse Ortiz

David Reed  
Dave Rosenberg  
Daniel P. Maguire  
Sonia Cortes

# Offices up for Election

## OFFICES

### CITIES

#### **City of Davis**

Member, City Council  
Member, City Council

#### **City of Winters**

Member, City Council  
Member, City Council  
Member, City Council  
City Clerk  
City Treasurer

## INCUMBENTS

Rochelle Swanson  
Robb Davis

Wade Cowan  
Pierre Neu  
Harold R. Anderson  
Nanci Mills  
Michael J. Sebastian

## CANDIDATE INFORMATION IS A MATTER OF PUBLIC RECORD

Nomination documents are a matter of public record and will be given to the news media and other persons upon request.

Government Code §6252(a)(b), 6253

County Clerk- Elections Office Hours:

8 a.m. to 5 p.m. (open during lunch hour)  
Monday – Friday (excluding holidays)

625 Court Street, Room B05  
Woodland, CA 95695

(530) 666-8133 (Telephone)  
(530) 666-8123 (Fax Number)

1 (800) 649-9943 (Toll-Free)

## QUALIFICATIONS FOR OFFICE

### FOR ALL OFFICES

“Unless otherwise specifically provided, no person is eligible to be elected or appointed to an elective office unless that person is a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person or at the time of the person’s appointment.” Elections Code § 201

“A person is incapable of holding a civil office if at the time of his election or appointment he is not 18 years of age and a citizen of the state”. Government Code §1020

### COUNTY OR DISTRICT OFFICES IN GENERAL

... A person is not eligible to a county or (resident voter) district office, unless he or she is a registered voter of the county or district in which the duties of the office are to be exercised at the time that nomination papers are issued to the person or at the time of the person’s appointment. Government Code §24001

#### Provisions for County Offices

*Elections Code Section 13.5 Declaration of candidacy; legally qualified candidate; candidate documentation.*

County Clerk-Recorder/Assessor – *Government Code §26945; §26946*

County District Attorney – *Government Code §24001; §24002*

County Sheriff/Coroner – *Government Code §24004.3*

Yolo County Superintendent of Schools – *Education Code §1205; §1208*  
- *Government Code §27000.6; §27006.7*

Judge, Superior Court – *Sec.15 of Article VI of the California Constitution*

## CANDIDATE DOCUMENTATION

13.5. Declaration of candidacy; legally qualified candidate; candidate documentation.

(a)(1) Notwithstanding subdivision (a) of Section 13, no person shall be considered a legally qualified candidate for any of the offices set forth in subdivision (b) unless that person has filed a declaration of candidacy, nomination papers, or statement of write-in candidacy, accompanied by documentation, including, but not necessarily limited to, certificates, declarations under penalty of perjury, diplomas, or official correspondence, sufficient to establish, in the determination of the official with whom the declaration or statement is filed, that the person meets each qualification established for service in that office by the provision referenced in subdivision (b).

(2) The provision of “documentation,” for purposes of compliance with the requirements of paragraph (1), may include the submission of either an original, as defined in Section 255 of the Evidence Code, or a duplicate, as defined in Section 260 of the Evidence Code.

(b) This section shall be applicable to the following offices and qualifications therefore:

- (1) For the office of county district attorney, the qualifications set forth in Sections 24001 and 24002 of the Government Code.
- (2) For the office of county sheriff, the qualifications set forth in Section 24004.3 of the Government Code.
- (3) For the office of county superintendent of schools, the qualifications set forth in Sections 1205 and 1208, inclusive, of the Education Code.
- (4) For the office of judge of the superior court, the qualifications set forth in Section 15 of Article VI of the California Constitution.
- (6) For the office of county treasurer, county tax collector, or county treasurer-tax collector, the qualifications set forth in Section 27000.7 of the Government Code, provided that the board of supervisors has adopted the provisions of that section pursuant to Section 27000.6 of the Government Code.

*Elections Code Section 13.5 (Amended by Stats. 2002, c784, §92.)*

### **Yolo County Supervisor**

Government Code §25041

A County Supervisor “shall have been a registered voter of the district which he/she seeks to represent for at least 30 days immediately preceding the deadline for filing nomination documents for the office of supervisor, and shall reside in the district during his/her incumbency.”

## CANDIDATE DOCUMENTATION

### **Yolo County District Attorney**

Government Code 24002

“A person is not eligible to the office of district attorney unless he or she has been admitted to practice in the Supreme Court of the State”.

\*See County or District Offices in General.

### **Yolo County Sheriff-Coroner**

Government Code §24004.3

“(a) No person is eligible to become a candidate for the office of sheriff in any county unless, at the time of the final filing date for election, he or she meets one of the following criteria:

(1) An active or inactive advanced certificate issued by the Commission on Peace Officer Standards and Training.

(2) One year of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years to the date of filing, and possesses a master’s degree from an accredited college or university.

(3) Two years of full time, salaried law enforcement experience with the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a bachelor’s degree from an accredited college or university.

(4) Three years of full-time salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses an associate in arts or associate in science degree, or the equivalent, from an accredited college.

(5) Four years of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a high school diploma or the equivalent.

(b) All persons holding the office of sheriff on January 1, 1989, shall be deemed to have met all qualifications required for candidates seeking election or appointment to the office of sheriff.”

\*See County or District Offices in General.

## **Yolo County Clerk-Recorder/ Assessor**

Government Code 24001, §24002.5 Appraiser's Certificate

...A person is not eligible to a county or (resident voter) district office, unless he or she is a registered voter of the county or district in which the duties of the office are to be exercised at the time that nomination papers are issued to the person or at the time of the person's appointment.

A person may not exercise the powers and duties of the office of assessor unless he or she holds a valid appraiser's certificate issued by the State Board of Equalization pursuant to Article 8 (commencing with Section 670) of Chapter 3 of Part 2 of Division 1 of the Revenue and Taxation Code.

(a) Notwithstanding subdivision (a), a duly elected or appointed person may exercise the powers and duties of assessor, for a period not to exceed one year, if he or she acquires a temporary appraiser's certificate from the State Board of Equalization within 30 days of election or appointment.

(b) This section shall not apply to any person holding the office of assessor on January 1, 1997. Government Code Section 24002.5

\*See County or District Office in General.

## **SCHOOL**

### **County Superintendent of Schools**

(Education Code 1208)

“(a) All county superintendents of schools in counties within classes (1) to (8), inclusive, shall possess a valid certification document authorizing administrative services. (b) For the purpose of this section, the possession of a valid elementary administrative credential and a valid secondary administrative credential are equivalent to the possession of a valid general administrative credential.”

\* See County or District Office in General

## **JUDICIAL OFFICES**

### **Judge of The Superior Court**

California Constitution, Article VI, Section 15

“A person is ineligible to be a judge of a court of records unless for ten years immediately preceding selection the person has been a member of the State Bar or served as a judge of a court of record in this State.”

\*See County or District Office in General

## CITY OFFICES

Government Code §36502(a)

### CITY OF DAVIS

Member of City Council - vote for 2

### CITY OF WINTERS

Member of City Council - vote for 3

City Clerk - vote for 1

City Treasurer - vote for 1

“A person is not eligible to hold office as council member, city clerk, or city treasurer unless he or she is, at the time of assuming the office an elector of the city, and was a registered voter of the city at the time nomination papers are issued to the candidate as provided for in Section 10227 of the Elections Code.

If during his or her term of office, he or she moves his or her place of residence outside of the city limits or ceases to be an elector of the city, his or her office shall immediately become vacant.”

Candidates for city council must contact your local city clerk.

## CITY CLERKS

City of Davis  
Zoe Mirabile  
23 Russell Blvd.  
Davis, CA 95616  
530-757-5648

City of Winters  
Nanci Mills  
318 First St.  
Winters, CA 95694  
530-795-4910

City of Woodland  
Ana Gonzalez  
300 First St.  
Woodland, CA. 95695  
530-661-5806

## FEDERAL OFFICE

### Representative in Congress

Summary of Qualifications – Every candidate shall:

- A). Be at least 25 years of age, U.S. citizen for seven years, and a resident of California when elected.<sup>1</sup>
- B). Have a valid voter registration affidavit on file in the county of residence at the time nomination papers are obtained.<sup>1</sup> There are no district residency requirements for Members of Congress<sup>2</sup>.

## FEDERAL OFFICE

### United States Senator

Summary of Qualifications – Every candidate shall

- A. Be at least 30 years of age, a U.S. citizen for nine years, and a resident of California when elected. <sup>1</sup>
- B. Satisfy the following registration requirements:

## STATE CONSTITUTIONAL OFFICES

### Governor and Lieutenant Governor

Summary of Qualifications – Every candidate shall:

- A. Be a U.S. Citizen and a resident of the state for five years immediately preceding the Governor's election.
- B. Be a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person. §201<sup>2</sup>
- C. Not have served two terms in the office sought since November 6, 1990.

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<sup>1</sup> Article V, section 2 of the California Constitution require five-year residency in California; however, it is the legal opinion of this office that this provision violates the U.S. Constitution.

<sup>2</sup> All code section references are to the California Elections Code unless stated otherwise.

## STATE CONSTITUTIONAL OFFICES

### Attorney General

Summary of Qualifications – Every candidate shall:

- A. Be a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person. §201<sup>1</sup>
- B. Have been admitted to practice before the California Supreme Court for a period of at least five years immediately preceding his or her election to the office. Government Code §12503
- C. Not have served two terms as Attorney General since November 6, 1990.

## STATE CONSTITUTIONAL OFFICES

### Insurance Commissioner

Summary of Qualifications- Every candidate shall:

- A. Be a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person. §201<sup>1</sup>
- B. During tenure of office, not be an officer, agent, or employee of an insurer or directly or indirectly interested in any insurer or licensee any surrender and license or permit under the California Insurance Code, except (1) as a policy holder, or (2) by virtue of relationship by blood or marriage to any person interested in any insurer or licensee. Insurance Code §12901
- C. Not have served two four-year terms as Insurance Commissioner. Insurance Commissioner §12900(a)

## STATE CONSTITUTIONAL OFFICES

Secretary of State, Controller and Treasurer

Summary of Qualifications- Every candidate shall:

A. Be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person. §201<sup>1</sup>

B. Satisfy the following registration requirements:

C. Not have served two terms in the office sought since November 6, 1990.  
California Constitutional Art. V, §11

## MEMBER, STATE BOARD OF EQUALIZATION

Member, State Board of Equalization

Summary of Qualifications- Every candidate shall:

A. Be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person. §201<sup>1</sup>

B. Not have served two terms as a Member of the State Board of Equalization since November 6, 1990.  
California Constitutional Art. XIII, §17

## STATE LEGISLATIVE OFFICES

State Senator (20 Districts, Even-Numbered) 2 term limitation  
Member of the State Assembly (80 Districts) 3 term limitation CA Constl Art. IV, §2(a)

Summary of Qualifications- Every candidate shall:

- A. Be a United States citizen. <sup>1</sup>
- B. Be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person. §201<sup>2</sup>

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<sup>1</sup> Article IV, section 2c, of the California Constitution requires a one-year residency in the legislative district and three years' residency in California; however, it is the legal opinion of this office that these provisions violate the U.S. Constitution and are unenforceable.

## STATE OFFICE

State Superintendent of Public Instruction  
Summary of Qualifications - Every candidate shall:

- A. Be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person. §201<sup>1</sup>
- B. Not have served two terms as State Superintendent of Public Instruction since November 6, 1990.

California Constitution Art. IX §2

## **MEMBER, COUNTY CENTRAL COMMITTEE**

A person shall not be eligible for appointment or election to a committee who is not registered as affiliated with this party at the time of his or her appointment or election.

Elections Code §§7209, 7407, 7654

## FILING FEES

Filing Fees are required for most offices voted on at the 2018 Primary Election.

Elections Code §§8103,8104(a), 8604

### When The Filing Fee Is Paid

Candidates for all offices are required to pay the filing fee at the time they obtain their nomination forms.

Elections Code § 8105(a)

### Filing Fees for Local Offices in Yolo County

Candidates pay the filing fee in the county of their residence. Candidates for local offices make checks or money orders payable to: *Yolo County Elections*

### Filing fees for Judicial Offices Only

The Filing fees shall be paid at the time the Declaration of Intention is filed with the elections official.

### Filing Fees for State Offices

For State, Congressional, State Legislative and for the office of State Superintendent of Public Instruction, the filing will be forwarded to the Secretary of State; such filing fees paid in money must therefore be paid by check payable to: *Secretary of State*.

### Filing Fees Schedule

Amount of the filing fees are shown in the table in the following section. The filing fee is a percentage of the annual salary, except in the case of a candidate for city office, as provided in Election Code 10228.

### Filing Fees Not Applicable

No filing fee is required for an office for which no fixed compensation is payable, or for which the annual salary is two thousand five hundred dollars (\$2,500) or less.

Candidates for County Central Committees are not required to pay a filing fee.

Write-in candidates for the offices that are to be voted on at the Primary Election are not required to pay filing fees.

### Filing Fee Is Not Refundable

A filing fee is not refundable. If, for any reason, the candidate fails to qualify, the filing fee is forfeited.

Elections Code §§8105

### Returned Checks with Insufficient Funds

If the filing fee is paid with a personal check which is returned for insufficient funds, the candidate must make payment by money order or cashier's check to include the \$25.00 penalty for any returned check and must be submitted no later than the close of the nomination period. Failure to do so will invalidate the individual's candidacy.

## PETITION IN LIEU OF FILING FEES

### The Petition Alternative

The law provides an alternative to paying the filing fee in monies. Upon receipt of the minimum number of In-Lieu signatures required, or a sufficient combination of such signatures and pro rata filing fee, the office of the elections official will issue nomination documents provisionally, subject to checking the validity of the signatures submitted. If the petition is found to contain fewer valid signatures than the face number, the candidate must pay the balance of the filing fee.

Elections Code §8106(3)

### Number of In-Lieu Signatures Required

See Filing Fee Table. This table shows the number of signatures required to pay the entire filing fee for each office, as well as the value per signature.

Elections Code §8106 (a) (b)(3)

### Obtaining the Petition Form

A master petition form will be available from the elections official beginning on **December 14, 2017**. The form will be issued to the candidate in person, or to someone bearing written authorization from the candidate. There is no charge for the master form; the candidate will be responsible for duplicating as many forms as needed.

The elections official will maintain a list of persons who have applied for In-Lieu forms. This will be considered public information in the event of inquiries from the press or others. Prospective candidates should therefore not apply for In-Lieu forms until they are ready for their candidacy to be made public.

### In-Lieu Petitions in Multi-County Districts

Candidates in multi-county districts who plan to circulate petitions in more than one county must contact each county for petition in lieu forms.

Elections Code § 8106(b)(4)

## PETITIONS IN LIEU OF FILING FEES

### Petition Signers

Petition signers must be registered voters eligible to vote for the candidate in the Primary Election. Petition circulators must be registered voters in the jurisdiction involved, and may circulate a petition only in the county in which they reside. Each voter's signature will be valid only on those petitions in the order in which they are filed, to not exceed the number of offices to be filled.

A voter may sign both a candidate's in-lieu-of filing-fee petition and his or her nomination papers. However, if signatures appearing on the documents are counted towards both the in-lieu-of filing-fee petition and the nomination paper signature requirement, a person may only sign one of the documents.

Elections Code §201, 8106(a)(7)

### Filing the In-Lieu Petitions

Petitions must be filed with the county in which they were circulated. Candidates must file their petitions no later than **February 7, 2018**. If the provisional credit for the face number of signatures filed is less than the required filing fee, the balance must be paid in money.

Elections Code § 8106(b)(4)

### Filing Fee Deficiencies

After the signatures are checked (and no later than ten days after the petitions were filed), the county elections official will notify the candidate of any filing fee deficiency. The candidate must then make up the deficiency in money before the nomination period closes on **March 9, 2018**. Any candidate who fails to make up a filing fee deficiency will not qualify for the ballot and will forfeit any portion of the filing fee already paid.

Elections Code 8106 (b)(3)

### Petition In-Lieu Petitions and/or Nomination Papers

A candidate who submits a petition in lieu of filing fee may request that the county elections official count all valid signatures appearing on the petition toward the number of sponsors signatures required for the candidate's nomination paper provided the signers are registrants of the same party as the candidate. If the petition in lieu of filing fee contains the requisite number of valid signatures required for the nomination paper, the candidate is not required to circulate and file a nomination papers, but may request the county elections official to accept the petition in lieu of filing fee as a nomination paper. If the petition in lieu of filing fee does not contain the requisite number of valid signatures required for the nomination paper, the candidate may still circulate and file a nomination paper to be signed by qualified registered voters during the nomination period. The candidate may request the county elections official to apply the number of valid signatures on the nomination papers to satisfy the signature requirement for the office.

Elections Code §8065,8106(b)(4)

## NOMINATION PAPERS

Every candidate must file nomination papers containing the required number of valid signatures. See the table following this section for the signature requirements for nomination sponsors.

Candidates who pay the filing fee all or in part with “Petitions In-Lieu of Filing Fee” may have these signatures count toward the Nomination Paper requirement as well as toward the filing fee. However, such combination In-Lieu Petitions/Nomination Papers must comply with the requirements for Nomination Papers. If the Nomination Paper signature requirement is satisfied in this manner at the time of filing fee is paid, it will not be necessary for the candidate to be issued separate Nomination Papers when filing the Declaration of Candidacy.

Elections Code §8041, 8061

### More Signers than Required

No more signers shall be secured for any candidate than the maximum number required in this article. If, however, through miscalculation or otherwise, more signers are secured than the maximum number, the elections official with whom the nomination papers are filed shall, with the written consent of the candidate, withdraw the excess number.

Signers must be registered voters in the district or political subdivision; i.e. Assembly, Congressional, Supervisorial district, etc.

The signers should, as nearly as possible, sign his/her name as currently registered. Prefixes such as Mr., Mrs., Miss are not required.

Signatures will be checked to determine how many valid signatures the nomination papers contain. A signature is invalid if the signer is not a registered voter, if the signer does not reside in the appropriate election district, or if the signer has already previously signed more Nomination Papers for candidates for that office than there are positions to be filled.

Elections

Code §§100,8067, 8068, 8069

### Circulators of Nomination Papers

Every Nomination Paper must have a circulator who witnesses all the signatures on the paper and then signs the Affidavit of Circulator. This is signed “under penalty of perjury”; it need not be sworn before an election official. Circulators shall be voters in the district or political subdivision in which the candidate is to be voted on and shall serve only in that district or political subdivision.

Elections Code §8041, §8066

**LOCAL FILING FEES AND NUMBER OF SPONSORS'  
SIGNATURES REQUIRED**

<b>OFFICE</b>	<b>SALARY</b>	<b>FILING FEE</b>	<b>IN-LIEU SIGS.</b>	<b>VALUE OF SIG.</b>	<b>NUMBER OF SPONSORS</b>
Superior Court Judge	\$ 200,042.00	\$ 2,000.42	6001	.33	20 – 40
County Board of Supervisors Dist: 2 <sup>ND</sup> & 3 <sup>RD</sup>	\$ 67,064.19	\$ 670.00	2012	.33	20 – 40
Assessor Clerk-Recorder/Registrar of Voters	\$ 154,670.26	\$ 1,546.70	4640	.33	20 – 40
District Attorney	\$ 214,358.56	\$ 2,143.59	6431	.33	20 – 40
Sheriff-Coroner	\$ 208,859.25	\$ 2,088.59	6266	.33	20 – 40
Superintendent of Schools	\$ 172,550.00	\$ 1675.76	5176	.33	20 – 40
<b>CITIES:</b>					
Davis	N/A	N/A	N/A	N/A	20 – 30
Winters	N/A	N/A	N/A	N/A	20 – 30
Woodland	N/A	N/A	N/A	N/A	20 – 30

*As of 12/2017*



## DECLARATION OF CANDIDACY AND NOMINATION PAPERS

All candidates for office at the direct primary election must file a declaration of candidacy and nomination papers with the county elections official. Nomination material will be issued only to the candidate in person or to someone authorized by the candidate to obtain the nomination material on his/her behalf. Candidates shall meet the qualifications requirements for office before paying the filing fee, since the filing fee is not refundable under any circumstances. (Candidates for partisan office must not overlook the requirements concerning party affiliation.)

Elections Code §§333, 8020, 8040, 8064, 8065, 8106

Candidates are advised to obtain forms as early as possible within the candidacy period and return them well in advance of [March 9<sup>th</sup>, 2018](#). Candidate Nomination Packets are available to persons interested in filing for an office.

A Candidate Nomination Packet consists of the following;

### Required Nomination Documents:

- Declaration of Candidacy issued to all candidates at the time of payment of the nonrefundable filing fees or the submission of Petitions In-Lieu
- Nomination Papers containing the number of valid signatures required to the office.

### Additional Documents:

- Statement of Economic Interests – Form 700 [if applicable]
- Candidate Statement of Qualifications Form - Optional
- Code of Fair Campaign Practices Form – Optional
- Ballot Designation References
- Ballot Designation Worksheet
- Campaign Disclosure Manual and campaign disclosure forms are available upon request.

Government Code §81010, 84200

### MULTI-COUNTY DISTRICTS:

Candidates in multi-county districts pay the filing fee and are issued nomination material in the county of their residence. However, if they wish to circulate nomination papers in more than one county, **candidates must obtain nomination paper forms from each county in which signatures are going to be obtained.**

## RETURN OF NOMINATION PAPERS FOR FILING

All required nomination documents and other material must be completed and returned to the county elections official who issued the documents. They must be received in the county elections official's office no later than 5 p.m. on **March 9, 2018**.

Within five days, the county elections official will review the nomination documents and either forward them to the Secretary of State's office or file the documents in the elections office.

8021, 8105 8082

Elections Code § 8020,

## EXTENSION OF NOMINATION PERIOD

Notwithstanding Election Code 8020 or any other provision of the law, if nomination documents for an incumbent officer of a county are not delivered by 5 p.m. on the 88<sup>th</sup> day before the direct primary election, any person other than the person who was the incumbent on the 88<sup>th</sup> day shall have until 5 p.m. on the 83<sup>rd</sup> day before the election to file nomination documents for the elective office.

Elections Code §8024

**The extension of the nomination period is March 12 through March 16, 2018.**

## NO INCUMBENT / NO EXTENSION

The extension of the nomination period is not applicable where there is no incumbent eligible for election.

Elections Code §314, 8024; Government Code §24000; Education Code §5012.5(b)

## TERM OF ELECTION

The following list indicates each statewide and constitutional official and the year he or she is up for election.

OFFICE	OFFICE HOLDER	PARTY	TERM
Governor	Jerry Brown Jr.	Dem	2014-2018
Lt. Governor	Gavin Newsom	Dem	2014-2018
Secretary of State	Alex Padilla	Dem	2014-2018
Controller	Betty T. Yee	Dem	2014-2018
Treasurer	John Chiang	Dem	2014-2018
Attorney General	Xavier Becerra	Dem	2014-2018
Supt. of Public Instruction	Tom Torlakson	Dem	2014-2018
Insurance Commissioner	Dave Jones	Dem	2014-2018
Board of Equalization, 2 <sup>nd</sup> Dist	Fiona Ma	Dem	2014-2018
State Senate, 6 <sup>th</sup> Dist <small>(not an election year for odd numbered district's)</small>	Richard Pan	Dem	2016-2018
Member of Assembly, 4 <sup>th</sup> Dist	Cecilia Aguiar-Curry	Dem	2016-2018
Member of Assembly, 7 <sup>th</sup> Dist	Keven McCarty	Dem	2016-2018

## DECLARATION OF CANDIDACY

### Place of Execution of Declaration of Candidacy

Every candidate must file a declaration of candidacy. The law provides that the Declaration of Candidacy must be executed by the candidate with the elections official and may not be removed from that office. However, the candidate may, in a signed and dated statement, designate a person to receive the Declaration of Candidacy from the elections official and deliver it to the candidate, provided that such statement indicates that the candidate is aware that the Declaration of Candidacy must be properly executed and delivered to the elections official by the 88<sup>th</sup> day prior to the Primary Election. The statement shall be retained by the election official.

Elections Code §8028

## NAME ON THE BALLOT

In filling out the Declaration of Candidacy, the candidate must decide how his or her name should appear on the ballot. This should be recognizable as the name under which the candidate is registered, though the two need not be identical.

**EXAMPLE:**

a candidate registered as “James William Smith” may use such variations as:

James W. Smith

Jim Smith

J. William (Bud) Smith

If a name change has occurred within one year of the Primary Election, the new name may not be used on the ballot unless the change was made by a (a) marriage or (b) court decree.

Elections Code §§131

## BALLOT DESIGNATION

The candidate may state a ballot designation, if any, to be used under his or her name to appear on the official ballot.

### **NO TITLE OR DEGREE:**

The law provides that no title or degree shall appear on the same line on a ballot either before or after the candidate's name, in the case of any election to any office.

Elections Code §13106

Elections Code Section 13107 (a) With the exception of candidates for Justice of the State Supreme Court or Court of Appeal, immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations:

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

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

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

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

## BALLOT DESIGNATION

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

- (1) It would mislead the voter.
- (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
- (3) It abbreviates the word “retired” or places it following any word or words which it modifies.
- (4) It uses a word or prefix, such as “former” or “ex-,” which means a prior status. The only exception is the use of the word “retired.”
- (5) It uses the name of any political party, whether or not it has qualified for the ballot.
- (6) It uses a word or words referring to a racial, religious, or ethnic group.
- (7) It refers to any activity prohibited by law.

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

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

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

(d) No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (c) or as provided in subdivision (e). The elections official shall maintain a copy of the ballot designation worksheet for each candidate that appears on the ballot in the county for the same period of time as applied to nomination documents pursuant to Section 17100.

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

(b) In all cases, the words so used shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements of Sections 13207 and 13211, the elections official shall use

## BALLOT DESIGNATION

a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.

(g) Whenever a foreign language translation of a candidate's designation is required under the Voting Rights Act of 1965 (42 U.S.C. Sec. 1971), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is practicable with this section, and shall employ abbreviations and initials wherever possible in order to avoid undue length.

Additional Information for Ballot Designation:

### **Elections Code Section 13107.3**

(a) Each candidate who submits a ballot designation pursuant to subdivision (a) of Section 13107 shall file, in addition to the nomination documents filed pursuant to Section 8020, 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.

### **Elections Code Section 13107.5**

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

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

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

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

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

## BALLOT DESIGNATION

A candidate who does not want a ballot designation may indicate this in the space provided for the ballot designation on the Declaration of Candidacy form, or the space may be left blank. If no designation appears on the Declaration when filed, it will be assumed that no ballot designation is desired.

### Restriction On Ballot Designation

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

1. It would mislead the voter.
2. It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
3. It abbreviates the word “retired” or places it following any word or words that 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.

### Change of Ballot Designation

No ballot designation given by a candidate may be changed after the final date for filing nomination papers, except as specifically requested by the elections official or the Secretary of State because the designation requested is not acceptable under Elections Code Section 13107(d)(e).

#### EXCEPTION:

Candidates voted on the Primary ballot and placed on the ballot at the General Election may change their ballot designation by requesting a different designation in writing at least 98 days prior to the General Election.

## DECLARATION OF CANDIDACY

### EXECUTION AND RETURN OF DECLARATION OF CANDIDACY

An executed Declaration of Candidacy must be filed in the Office of Elections no later than 5 p.m. on the last day of nomination period.

**WARNING:** Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file, at the proper time and in the proper place, any nomination paper in his or her possession that is entitled to be filed under Section 18202 of the Elections Code.

### WITHDRAWAL OF CANDIDACY

**Elections Code:**

“No candidate whose Declaration of Candidacy has been filed for the Primary Election may withdraw as a candidate at that primary election.”

Elections Code §8800, 8801

## CANDIDATE'S STATEMENT

The Candidate's Statement is optional and is incorporated into the Sample Ballot Pamphlet and mailed to all registered voters.

The Candidate's Statement (also known as Statement of Qualifications) is a statement of the candidate's education and qualifications expressed by the candidate himself/herself. This form is issued to the candidates at the time the Declaration of Candidacy is filed along with other nomination documents. Elections Code §13307

### Filing Candidate's Statement

A candidate who wishes to have a statement must submit it at the time the completed nomination documents are returned to the elections official. It will not be accepted after that time. A candidate who *does not* wish to file a Statement shall indicate that on the Candidate's Statement Form, which must be returned with the nomination documents. Elections Code §13307

### Withdrawal of Candidate's Statement

The statement *may not* be changed after it has been submitted and filed. It may, however, be withdrawn any time up to 5 p.m. of the first working day after the close of the nomination period.

The request for withdrawal must be in writing; the elections official may provide the candidate with a withdrawal form, although it is not required to be on this form.

### Confidentiality of Candidate's Statement

The statements filed pursuant to Election Code 13307 shall remain confidential until the expiration of the filing deadline.

At that time, there will begin a 10-day period for public examination before the statement is printed. During this period anyone may obtain a copy at cost, and any voter of the jurisdiction may seek a writ of mandate or an injunction requiring any or all of the material contained therein to be amended or deleted. The writ of mandate or injunction request shall be filed no later than the end of the 10-calendar day public examination period. The statement will continue to be considered a public record after the examination is over. Elections Code §§13311, 13313

## CANDIDATE'S STATEMENT

### Cost of Candidates' Statement

#### Who Pays?

The candidate will be required to pay the cost of the statement should they elect to have on printed.

A candidate who claims "indigence" may submit a statement of financial worth to be used by the by the local agency to determine if he or she is eligible to submit a Candidate's Statement without payment of fees in advance. A candidate claiming indigence must agree to release his/her income tax statement and may also be required to sit for an interview with a county financial officer. Candidates should note that indigence status will excuse them only from advance payment; "indigents" will still be billed their actual pro rata share of the actual cost after the election.

Elections Code §13309

- ◆ Each candidate is required to pay in advance, the cost of having his/her statement included in the voter's pamphlet.
- ◆ The advance payment is paid at the time the Candidate's Statement is submitted.
- ◆ Payment may be cash or;
- ◆ Check payable to *County of Yolo*
- ◆ NOTE:  
In the event that a check is returned with insufficient funds, a \$25.00 penalty will be imposed and the Candidate Statement will not be printed unless the candidate delivers the payment with a money order or cashier's check before the close of the nomination.

## CANDIDATE'S STATEMENT

### Contents of Candidate's Statement

The Candidate's Statement may include the name, age and occupation of the candidate and a brief description in no more than 400 words for County Offices, 250 words for State Office and no more than 200 words for city candidates. The statement should consist of the candidate's education and qualifications expressed by the candidate himself/herself. The word limit is strictly observed. Elections Code §9, 13307

**Age:** is optional and may be omitted.

**Occupation:** may be expanded beyond the three words allowed on the ballot designation.

**Party Affiliation:** Membership or activity in any partisan political organization is not permitted.

**Judicial Office:** shall be limited to a recitation of the candidate's own personal background and qualifications and prohibits any reference to other candidates for judicial office or to another candidate's qualifications, character, or activities.

Elections Code § 13307, 13308

The law specifically states that the author of a Candidate Statement is not exempt from civil or criminal action or penalty because of false, slanderous or libelous statements offered for printing or contained in the voter's pamphlet. Moreover, any candidate who knowingly makes a false statement of a material fact in a Candidate's Statement with the intent to mislead the voters is punishable by a fine not to exceed one thousand dollars. Elections Code § 18351

## CANDIDATE'S STATEMENT

### Preparation of the Candidate's Statement

All candidate statements are in block paragraphs with extra spacing between paragraphs; this is the printer's "House Standard" for candidate statements.

Statements are printed as submitted. Typographical errors will not be corrected by the Elections Department or by the printer.

ACCEPTABLE ON CANDIDATE STATEMENT	NOT ACCEPTABLE
<ul style="list-style-type: none"><li>❑ The use of a word processor; a Candidate Statement may be typed on a separate document. (It does not need to be typed on the actual form provided by the elections office)</li><li>❑ Title case and lowercase characters</li><li>❑ Bullets, boxes, arrowheads, asterisks diamonds</li></ul>	<ul style="list-style-type: none"><li>❑ Unusual spacing or underlining</li><li>❑ Large or variable font size</li><li>❑ Boldface in the body of the statement</li><li>❑ Party affiliation</li><li>❑ Membership or activity in partisan political organization(s)</li><li>❑ Italics</li><li>❑ All Capital Letters</li></ul>

## CANDIDATE'S STATEMENT

As provided for in Elections Code Sections 13307(a)(1):

200 Words for City Candidates  
400 Words for County Candidates  
250 Words for State Candidates

The Elections Department shall estimate the total pro-rated cost of printing, handling, and mailing of the candidate statements, including costs incurred as a result of complying with the Voting Rights Act of 1965, as amended.

Each candidate is required to pay in advance, the estimated cost of having his or her statement included in the voter's pamphlet.

For advance payment, see the "Cost of Candidate's Statement" page within this handbook.

Statements must be typewritten. The Elections Code requires that the statement of each candidate be printed in type of uniform size and darkness and spacing.

Elections Code §13307

### **No Editing of Candidate Statements**

- The elections official does not edit any candidate's statement. The candidate is responsible for checking for spelling, punctuation and grammar.
- Candidate's Statements cannot be changed or corrected once the statement has been filed.

Notwithstanding the above guidelines, nothing should be deemed to make any statement or author thereof free or exempt from any civil or criminal action of penalty because of any false, slanderous, or libelous statements offered for printing.

## CANDIDATE STATEMENT OVERVIEW

<b>TIME PERIOD FOR FILING</b>	<p>The filing period for the Candidate’s Statement is <a href="#">February 12</a> through <a href="#">March 9, 2018</a>, at 5:00 p.m. If the incumbent does not file during the filing period, then the filing period will be extended for candidates other than the incumbent.</p> <p>THE CANDIDATE STATEMENT SHALL BE FILED AT THE TIME NOMINATION PAPERS ARE SUBMITTED.</p>
<b>WHERE: Local</b>	<p>Yolo County Elections Department 625 Court Street, Room B-05 Woodland, CA 95695</p>
<b>CONTENTS</b>	<p>The statement may contain the name, age, and occupation of the candidate and a brief description of no more than <b>400 words</b> of the candidate ‘s education and qualifications expressed by the candidate. The spacing is to be uniform and conform to the guidelines provided.</p> <p>For City candidates no more than <b>200 words</b> are allowed.</p> <p>No more <b>than 250 words</b> allowed for US Congress and State Assembly.</p>
<b>RESTRICTIONS</b> Acceptable and/or Not Acceptable	<p>The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. See page <b>38</b> of this guide for restrictions.</p>
<b>WITHDRAWAL</b>	<p>The 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. Any request for withdrawal of a Candidate’s Statement must be submitted in writing</p>

## COST OF CANDIDATE'S STATEMENT

Advance Payment is required from a candidate for the optional candidate statement

<b>Offices</b> <i>Elections Code §13307</i>	<b>English Statement</b>	<b>Other Languages Statement</b>
<b>U.S. Congress, 3<sup>rd</sup> District</b>	<b>250 Words</b> \$ 1,580.00	<b>250 Words</b> \$ 1,765.00
<b>U.S. Congress, 6<sup>th</sup> District</b>	<b>250 Words</b> \$ 665.00	<b>250 Words</b> \$ 850.00
<b>Assembly, 4<sup>th</sup> District</b>	<b>250 Words</b> \$ 1580.00	<b>250 Words</b> \$ 1765.00
<b>Assembly, 7<sup>th</sup> District</b>	<b>250 Words</b> \$ 665.00	<b>250 Words</b> \$ 850.00
<b>County Supervisor</b> Second District Third District	<b>400 Words</b> \$ 635.00 \$ 604.00	<b>400 Words</b> \$ 820.00 \$ 789.00
<b>County Offices</b> Superior Court Judge County Clerk-Recorder/Assessor County Superintendent of Schools District Attorney Sheriff-Coroner	<b>400 Words</b> \$ 1,971.00 \$ 1,971.00 \$ 1,971.00 \$ 1,971.00 \$ 1,971.00	<b>400 Words</b> \$ 2,156.00 \$ 2,156.00 \$ 2,156.00 \$ 2,156.00 \$ 2,156.00
<b>Cities</b> City of Davis City of Winters	<b>200 Words</b> \$ 874.00 \$ 338.00	<b>200 Words</b> \$ 1,059.00 \$ 523.00

### SPANISH/RUSSIAN TRANSLATION for CANDIDATE STATEMENT

There is an additional cost for a Spanish or Russian translation for a candidate statement. If you wish to have a candidate statement translated to Spanish or Russian, please contact the elections official for more information.

# DISCLOSURE OF ECONOMIC INTEREST - FORM 700

## Who Must File

The State Political Reform Act of 1974 requires candidates for certain offices to disclose their investments and interests in real property in a Statement of Economic Interests form to be filed no later than the final date for filing the Declaration of Candidacy. Such disclosure is specifically required of candidates for those offices listed below to be voted on at the Primary Election.

Government Code 87200, 87314, 87500

- Statewide Offices
- State Legislative Offices
- County Supervisor
- District Attorney
- Judge of the Superior Court
- Mayors
- City Council Members
- Treasurers

## Exceptions

If you have filed an assuming office or annual statement for the same jurisdiction within 60 days before filing a declaration of candidacy, you are not required to file a Statement of Economic Interests form.

For elective offices designated in an agency's conflict of interest code, you must file a Statement of Economic Interests form only if the code specifically requires one to be filed.

For the requirements of the Federal Election Campaign Act, candidates for federal office should contact the Federal Election Commission at 999 E Street, N.W., Washington, D.C. 20463, or call the toll-free number (800) 424-9530 for a copy of the Act, related regulations, and instruction manuals giving filing requirements for reporting campaign contributions and the forms on which to file.

## What Must Be Disclosed

Under state law, persons filing economic interests' statements as candidates are required to disclose only investments and interests in real property, and any income received during the immediately preceding 12 months. If elected, however, they will file statements as officeholders, which will require disclosing investments and interest in real property held the date of assuming office, and income received during the 12 months before assuming office.

Government Code §§87200, 87201, 87202, 87203

## When to File

Candidates who must file will be given forms and instructions at the time nomination documents are issued. Statements should be returned to the elections official with the nomination documents, and will be forwarded to the appropriate office to be filed.

Government Code §87201, 87500

## CAMPAIGN DISCLOSURE

The campaign disclosure information provided here applies to candidates (and committees supporting such candidates) for all offices voted on at the Primary Election with the exception of U.S. Representative.

Government Code §81000

### Information for State/Local Candidates & Committees

Any individual who intends to be a candidate for an elective state office shall:

- A. File, with the appropriate filing entity, a candidate intention form to be a candidate for a specific office (Form 501). This statement shall be signed under penalty of perjury and filed prior to the solicitation or receipt of any contribution or loan, including personal funds used for campaign purposes.

Government Code §85200

- B. Establish one campaign bank account at a financial institution located in the state upon filing of the candidate intention.

Government Code §85201 (a)

1. Upon receiving \$2,000 in contributions, or making \$2,000 in expenditures provide the name of the financial institution and the location to The Secretary of State's Political Reform Division within 10 days of establishing the account. The Political Reform Division will issue an identification number to the committee.

Government Code § 85201 (b)

2. All contributions or loans made to the candidate, to a person on behalf of the candidate, or the candidate's committee shall be deposited in the account.

Government Code § 85201 (c)

3. Any personal funds that will be utilized to promote the election of the candidate shall be deposited in the account prior to expenditures.

Government Code § 85201 (d)

4. All campaign expenditures shall be made from the account.

Government Code § 85201(e)

### C. Exceptions

1. Parts A and B (3) & (4), above, do not apply to the candidate's payment of a filing fee and statement of qualifications fee from his or her personal funds.

Government Code § 85200, 85201(f)

2. Part B, above, does not apply if the candidate does not receive contributions and makes campaign expenditures from personal funds of less than \$2,000 in a calendar year, excluding payment of the filing fee and statement of qualifications fee.

Government Code § 85200

## CAMPAIGN DISCLOSURE

### Additional Filing Requirements

Candidates may download all the latest campaign forms from the Fair Political Practices Commission's web site at <http://www.fppc.ca.gov>, or the Secretary of State's web site at <http://www.sos.ca.gov>. Candidates may also call the Political Reform Division at (916) 653-6224.

Please contact the Fair Political Practices Commission at (916) 322-5660 for all applicable contribution and spending limits as well as the latest filing requirements.

### Statements of Organization for Committees

If a candidate plans to have a campaign committee, the committee treasurer must file a Statement of Organization with the Secretary of State and a copy with the local elections official. **The Statement of Organization must be filed no later than ten days after the committee receipts or has expenditures of \$2000.**

Government Code §84101 (d)

Anyone who takes on the job of committee treasurer should be aware of his or her responsibilities. The treasurer signs campaign statements under penalty of perjury and may be held accountable for their accuracy and completeness. Government Code §81004

# CAMPAIGN DISCLOSURE

## Statement of Termination

Candidates and committees that have ceased campaign activity, have no surplus funds, and do not intend to receive contributions or make expenditures, should file a Statement of Termination. Until the termination statement is filed, a person who has become a "candidate" under the law, and a committee that has filed a Statement of Organization, will remain in such status indefinitely. As "candidates" and "committees," they will be required to file semiannual campaign statements and will be subject to penalties if such statements are not filed on time.

Government Code §82007, 82013, 84200, 84214

## Public Record

All statements filed under the disclosure law are a matter of public record. They may be inspected by anyone and copies may be purchased at 10 cents per page.

Government Code §81008

## Late Filing Penalties

In the event of a statement filed after the prescribed deadline, the law provides for a \$10 per day late filing penalty, up to a maximum of \$100, or the cumulative amount on the late statement, whichever is greater.

Government Code § 91013

## Violations

Failure to comply with campaign disclosure law may result in criminal prosecution by the state attorney general or the county district attorney, or civil action by the Fair Political Practices Commission, or a private citizen.

Government Code §91000 et seq.

# CAMPAIGN DISCLOSURE

## IMPORTANT NOTE

### Use of Candidate's Personal Funds

Money used from a candidate's personal funds is considered a contribution to the campaign and must be reported. See the Information Manual for detailed instructions on how to report use of personal funds.

Government Code §82015

### Co-mingling of Campaign Contributions

Contributions from other persons may not be co-mingled with an individual's personal funds; instead, they must be deposited in a campaign account. Personal use of campaign funds are prohibited by law, except for expenses incurred in the performance of an activity which was directly related to a political, legislative, or governmental purpose.

Government Code §84307

### Anonymous or Cash Transactions

Anonymous or cash contributions of \$100 or more, and cash expenditures of \$100 or more are prohibited.

Government Code §84300, 84304

### Major Donors

Any person (or other entity) making contributions totaling \$10,000 or more in a calendar year is a "major donor committee" under the law and has campaign disclosure filing obligations. Candidates/committees are required to notify contributors of \$5,000 or more that they must file campaign statements if they reach the \$10,000 threshold.

Government Code §82013, 84105

### Late Contribution Reports

A special reporting requirement applies in the event of "late contributions" amounts of \$2,000 or more received or contributed after the closing date of the second pre-election statement. See the Information Manual for details.

Government Code §82036, 84203

### Late Changes in Committee Statements of Organization

See the Information Manual for special reporting instructions in the event of changes in items on the Statement of Organization after the closing date of the second pre-election period.

Government Code §84103

## CAMPAIGN DISCLOSURE

### Method of Delivery of Campaign Statements

Most statements may be sent by first class mail and will be considered filed on the date of postmark. (Certified mail is recommended, since the law provides that statements not received by a filing officer will be deemed not sent unless the sender possesses a post office receipt for the mailing.) The second pre-election statement, however, may be sent only by guaranteed overnight delivery or by personal delivery.

Government Code § 81007

### Record Keeping and Audits

Careful and complete records must be kept of all campaign transactions in order to comply with the detailed reporting required by the campaign statement form. All committee treasurers, and candidates who handle their own campaign finances, should note the record-keeping guidelines in the Information Manual.

Local candidates and their controlled committees can be selected for audit pursuant to subdivision (1) of Section 90001 of the Government Code.

## FAIR POLITICAL PRACTICES COMMISSION FILING SCHEDULE FOR CAMPAIGN DISCLOSURE

Candidates and Controlled Committees for Local Office

Filing Deadline	Type of Statement	Period Covered by Statement	Method of Delivery**
January 31, 2018	Semi-Annual	* / - 12/31/17	❖ Personal Delivery ❖ First Class Mail
April 26, 2018	1 <sup>st</sup> Pre-election	1/1/18 – 4/21/18	❖ Personal Delivery ❖ First Class Mail
May 24, 2018	2 <sup>nd</sup> Pre-election	4/22/18 – 5/19/18	❖ Personal Delivery ❖ Guaranteed Overnight Service
Within 24 Hours	Late Contributions And Late Independent Expenditures of \$1,000 or More	3/7/18– 6/5/18	❖ Personal Delivery ❖ Guaranteed Overnight Service ❖ Fax
July 31, 2018	Semi-Annual	5/20/18 – 6/30/18	❖ Personal Delivery ❖ First Class Mail

**Footnotes:**

1/ The period covered by any statement begins on the day after the closing date of the last statement filed or January 1, if no previous statement has been filed.

## FAIR CAMPAIGN PRACTICES COMMISSION CAMPAIGN DISCLOSURE STATEMENT

**WHAT TO FILE** Government Code §§84101, 84206, 84209, 84211?

### FORM 410

#### **Recipient Committee:**

A recipient committee is any individual (including an officeholder or a candidate), group of individuals, organization, or any other entity that receives contributions or makes expenditures totaling \$2,000 or more during a calendar year.

The term “contribution” includes monetary payments, loans and non-monetary goods or services.

#### **Candidates**

The personal funds a candidate or officeholder uses in connection with seeking or holding elective office are contributions and are counted toward qualifying as a recipient committee. However, personal funds used to pay a candidate filing fee or a fee for the statement of qualifications to appear in the ballot pamphlets are not counted toward the \$2,000 threshold.

#### **When to File**

File the Form 410 within 10 days of receiving \$2,000 in contributions. The date this form is postmarked is the date it is considered filed.

A recipient committee qualifying during the 16 days prior to an election in which it must file pre-election statements must file a Form 410 or the information required on a Form 410 by telegram or personal delivery within 24 hours of qualification with the filing officer who will receive the committee’s original disclosure statements. A Form 410 must also be filed with the Secretary of State within 10 days.

### FORM 460

The Form 460 is for use by ALL recipient committees, including, candidates, office holders and their controlled committees.

- A Form 460 is required for a candidate or officeholder who has a controlled committee, or who has raised or spent \$2,000 or more during a calendar year in connection with election to office or holding office. The Form 460 is also required if \$2,000 or more will be raised or spent during the calendar year at the behest of the office holder or candidate.

## FAIR CAMPAIGN PRACTICES COMMISSION CAMPAIGN DISCLOSURE STATEMENT

- A Form 460 is required for Primarily Formed Candidate/Officeholder Committees. A person, entity, or organization that receives contributions totaling \$2,000 or more during a calendar year to support or oppose a single candidate or officeholder, or two or more candidates or officeholders who are being voted upon in the same city, county, or multi-county election. This type of committee is not controlled by the candidate(s) or officeholder(s).
- A Form 460 is required for General Purpose Committees. A person, entity, or organization that receives contributions totaling \$2,000 or more during a calendar year to support or oppose various candidates and measures (e.g., political parties, political action committees).

Non-controlled committees that do not receive contributions, loans, or miscellaneous receipts totaling \$100 or more from a single source during a calendar year may use Form 450 – Recipient Committee Campaign Statement – Short Form.

### Use the Form 460 to file any of the following

- Pre-election Statement
- Semi-annual Statement
- Quarterly Statement
- Special Odd-Year Report
- Supplemental Pre-Election Statement
- Termination Statement
- Amendment to a previously filed statement

### Who Uses Form 470

Form 470 is for use 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
- do not anticipate spending \$2,000 or more during the calendar year.

Officeholders whose salaries are less than \$200 per month, judges, and judicial candidates should refer to Manual A to determine their filing obligations.

Officeholders and candidates who have a controlled committee or who have raised or spent \$2,000 or more or anticipate raising or spending \$2,000 or more during the calendar year must file the Recipient Committee Statement – Form 460.

## **FAIR POLITICAL PRACTICES COMMISSION CAMPAIGN DISCLOSURE STATEMENT**

### **Period Covered**

The period covered is always the calendar year January 1<sup>st</sup> through December 31<sup>st</sup> for the Form 470 filers.

### **\$2,000 Threshold**

To determine if \$2,000 has been raised or spent, or will be raised or spent, the candidate's personal funds for the filing fee or Statement of Qualifications are excluded.

If the Form 470 is filed by an officeholder or candidate with a declaration of candidacy, on or before the filing deadline for the first campaign statement required for the current calendar year, no additional campaign statements need to be filed for that calendar year as long as total contributions received remain less than \$2,000 and total expenditures made remain less than \$2,000. In most cases, July 31 is the filing deadline for the first campaign statement required to be filed by officeholders and candidates not being voted upon.

### **Amendments**

If you are filing an amendment to a previously filed statement, give a brief explanation of the amendment. Be sure to enter the calendar year covered by the statement you are amending and the date of election, if applicable.

### **Form 470 Supplement**

An officeholder/candidate who has filed Form 470 in connection with an election and subsequently receives contributions (including monetary and non-monetary contributions, loans, and the candidate's personal funds) totaling \$2,000 or more or makes expenditures totaling \$2,000 or more prior to the election, is required to send written notification.

The notification must be sent within 48-hours of receiving contributions totaling \$2,000 or more or making expenditures of \$2,000 or more. The notification must include the name and address of the candidate, the elective office, and the date of election for which the Form 470 was filed and the date contributions or expenditures totaling \$2,000 or more were received or made. The Form 470 Supplement may be used as the written notification.

## ADDRESSES OF FILING AGENCIES

### **Yolo County Clerk-Elections**

625 Court Street, Room B05  
Woodland, CA 95695

Mailing Address:  
P. O. Box 1820  
Woodland, CA 95776

530-666-8133  
530-666-8123 Fax Number

Website: [www.yoloelections.org](http://www.yoloelections.org)

### **Secretary of State**

Political Reform Division  
1500 11th Street, 3rd Floor  
Sacramento, CA 95814

916-657-2166  
916-653-5054 Fax Number

Website: [www.sos.ca.gov](http://www.sos.ca.gov) or  
[www.sos.ca.gov/prd/prd.htm](http://www.sos.ca.gov/prd/prd.htm)

### **Fair Political Practices Commission**

428 J Street, Suite 620  
P.O. Box 807  
Sacramento, CA 95812-0807

Toll-Free: 1-866-ASK-FPPC

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

### **Federal Election Commission**

999 E Street, N.W.  
Washington, D.C. 20463

800-424-9530

Website: [www.fec.gov](http://www.fec.gov)

## PENAL PROVISIONS

### **Fictitious name to nomination petition.**

Elections Code §18200

Every person who subscribes to any nomination petition a fictitious name, or who intentionally subscribes thereto the name of another, or who causes another to subscribe such a name to such a petition, is guilty of a felony and is punishable by imprisonment in the state prison for 16 months or two or three years.

### **Defacing or destroying a nomination paper.**

Elections Code §18201

Any person who falsely makes or fraudulently defaces or destroys all or any part of a nomination paper, is punishable by a fine not exceeding one thousand dollars (\$1000) or by imprisonment in the state prison for 16 months or two or three years or by both the fine and imprisonment.

### **Deliberate failure to file nomination paper.**

Election Code §18202

Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any nomination paper or declaration of candidacy in his possession, entitled to be filed under the provisions of this code.

### **False Declaration of Candidacy.**

Elections Code §18203

Any person who files or submits for filing a nomination paper or declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine not exceeding one thousand dollars (\$2000) or by imprisonment in the state prison for 16 months or two or three years or by both such fine and imprisonment.

### **Suppression of nomination paper.**

Elections Code §18204

Any person who willfully suppresses all or any part of a nomination paper or declaration of candidacy either before or after filing is punishable by a fine not exceeding one thousand dollars (\$1000) or by imprisonment in the state prison for 16 months or two or three years or by both such fine and imprisonment.

### **Consideration for a person to become or withdraw from becoming a candidate.**

Elections Code §18205

A person shall not directly or through any other person advance, pay, solicit, or receive or cause to be advanced, paid, solicited, or received any money or other valuable consideration to or for the use of any person in order to induce a person not to become or to withdraw as a candidate for public office. Violation of this section shall be punishable by imprisonment in the state prison for 16 months or two or three years.

## POLITICAL ADVERTISING

### Political advertisement requirements.

Elections Code §20008

Any paid political advertisement that refers to an election or to any candidate for state or local elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement." The words shall be set apart from any other printed matter.

As used in this section "paid political advertisement" shall mean and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office.

## ELECTIONEERING

### Electioneering on election day

#### **Electioneering within 100 feet of a polling place.** Elections Code §18370

No person, on election day, or at any time that a voter may be casting a ballot shall, within 100 feet of a polling place or elections official's office:

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

As used in this section "100 feet of a polling place or an elections officials' office" shall mean a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots. Any person who violates any of the provisions of this section is guilty of a misdemeanor.

#### **Electioneering during absentee voting.** Elections Code §18371

(a) No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of an absentee voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the absentee voter is voting.

(b) Any person who knowingly violates this section is guilty of a misdemeanor.

(c) This section shall not be construed to conflict with any provision of the federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by Section 18370, or by any other provision of law.

conspicuously stating that the person is not authorized by the candidate or committee and that the candidate or committee is not responsible for the actions of that person.

# POLITICAL SIGNS

The placement of political signs is subject to regulation by state, county, and/or city.

## STATE

The Division of Highways is prepared to answer questions about state regulations of campaign signs. Contact the Division of Highways at (916) 654-4790, or; a candidate may also obtain the forms for Highways signs at the Yolo County Elections Office.

## COUNTY

Political signs are handled in the same manner as outdoor advertising signs that are permitted in those zones allowing such uses with limitations on height, size, and spacing. For additional information, contact **Eric Parfrey** at the Yolo County Planning Department at **(530) 666-8043**.

## CITY

Ordinances for the City of Davis, City of Woodland and the City of West Sacramento are available at the Yolo County Elections office. Consult the City Clerk in each city for additional information concerning local sign ordinances.

**Zoe Mirabile/** City of Davis (530) 757-5648

**Nanci Mills/** City of Winters (530) 795-4910

**Kryss Rankin/** City of West Sacramento (916) 617-4500

**Ana Gonzalez/** City of Woodland (530) 661-5806

## CODE OF FAIR CAMPAIGN PRACTICES

### Code of Fair Campaign Practices

At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official shall give the individual a blank form of the code and a copy of this Chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee.

The text of the code shall read, as follows: (next page)

## Code of Fair Campaign Practices

Elections Code Section 20440 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 untrammelled 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 sincerity 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 any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.
- (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 happens 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 REPUDIATE 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 and 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.

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Date

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Signature

## RESULTS OF PRIMARY ELECTION

### Information for Persons Elected at the Primary Election

Every elected candidate must take an oath of office before an appropriate official prior to assuming the duties of office; for certain offices, a bond is also required. Information concerning oaths may be obtained from the official issuing the Certificate of Election.

Government Code §1360, 1450 et seq.; California Constitution, Art. XX, Sec. 3

### Canvass and Certification of Election

Certificates of Election will be issued following the completion of the canvass. For other offices, candidates are nominated at the Primary Election and will appear on the General Election ballot. In these cases, Certificates of Nomination will be issued.

Elections Code §15308,15401,15504

### State, Congressional and State Legislative Offices

For each of these offices, a Certificate of Nomination will be issued by the Secretary of State to the candidate with the highest number of votes of each party. These nominated candidates will be voted on at the General Election. (Write-in candidates must meet an additional requirement in order to be elected.)

Elections Code §8147

### County Offices, County Superintendent of Schools

For each of these offices, the candidate with the highest number of votes is elected only if he or she receives a majority of the votes cast for the office; the Certificate of Election will be issued by the County Clerk. If no candidate receives a majority of the votes cast for the office, the County Clerk will issue Certificates of Nomination to the two leading candidates, and they will be voted on at the General Election.

Government Code §24000

### State Superintendent of Public Instruction

A Certificate of Election or Certificates of Nomination will be issued by the Secretary of State, depending on whether the leading candidate receives a majority of the votes cast for the office.

Elections Code §8140, 8141, 15501

### Judicial Offices

For each Superior Court office that appears on the Primary Election ballot, a Certificate of Election will be issued depending on whether the leading candidate receives a majority of the votes cast for the office.

Elections Code §8140, 8141,15501

### City Offices

For these offices, the City Clerk will issue a Certificate of Election to the candidates with highest number of votes.

Elections Code 10265

## TERM OF OFFICE COMMENCES

Terms of office are as follows for persons elected at the 2018 Primary or General Elections.

### State Offices

Governor, Lieutenant Governor, Secretary of State, Attorney General, Treasurer, Controller, Member of State Board of Equalization, Insurance Commissioner  
4-year terms begin January, 2019.

California Constitution, Art. V, Sec. 2, 11

### Congressional Offices

U.S. Representative: 2-year term begins January, 2019, 12:00 noon.

U.S. Constitution, Amendment XX, Sec. 1

### State Legislative Offices

Member of the Assembly: 2-year term begins December, 2018.

California Constitution, Art. IV, Sec. 2a

### County Central Committee Offices

Beginning terms for members of the central committees depend on when the committee determines the date of their Organizational Meeting. The term of office for County Central Committees Members is two (2) years.

### County Offices

County Supervisor, County Clerk-Recorder/Assessor, District Attorney, Sheriff-Coroner:  
4-year term begins January, 2019, 12:00 noon.

Government Code §24200

### School Offices

State Superintendent of Public Instruction: 4-year term begins January, 2019.

California Constitution, Art. IX, Sec. 2

County Superintendent of Schools: 4-year term begins January, 2019, 12:00 noon.

Government Code §24200

### Judicial Offices

Judge of the Superior Court: 6-year term begins January, 2019.

California Constitution, Art. VI, Sec. 16c

### City Offices

Member of City Council, City Clerk, City Treasurer: The 4-year term begins following completion of the canvass of votes. Cities are to schedule the date that the newly elected Council Members are to be administered the Oath of Office.

Government Code §36503