

March 17, 2015
SPECIAL PRIMARY ELECTION
State Senate District 21
Candidate Filing Guide



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I. INTRODUCTION

The Elections Office administers all local, state, and federal elections in San Bernardino County. And has provided this Candidate Filing Guide as a resource for candidates and potential candidates who may be filing for candidacy in the March 17, 2015 Special Primary Election for State Senate District 21.

While this guide is intended to be as informative as possible, it contains general information only, and is not intended to be used as a substitute for legal counsel. Employees of the San Bernardino County Elections Office are not permitted to answer questions of a legal nature.

A. Overview of Filing Guide

There are five major sections in this guide:

The **Elective Office Information** section of this guide contains information about the offices up for election in San Bernardino County. This section also includes information regarding annual salary, eligibility requirements, and incompatible offices.

The **Candidate Filing Process** section contains information regarding the filing fees for each office, the process on how to reduce the filing fee, the nomination petition process, and the various forms required to file for office, and information regarding how to properly select a ballot designation and candidate statement.

The **Fair Political Practices Commission Filings** section briefly explains the required forms that may need to be filed as part of the candidate filing process. The Fair Political Practices Commission (FPPC) is an independent regulatory agency that enforces campaign finance laws. The San Bernardino County Elections Office is a filing agent for the FPPC, and is responsible for working with the candidates who are required to submit campaign disclosure statements.

The **Campaign Laws and Regulations** section contains important information regarding campaign signs and literature, electioneering, mass mailings, and other important laws and regulations that may be of interest to candidates.

The **Elections Office Services** section lists services provided by the San Bernardino County Elections Office that may be helpful to candidates to run their campaigns.

B. Primaries in California

Primaries in California have changed in recent years and candidates should be aware of those changes. In June 2010, California voters approved Proposition 14 (The Top Two Open Primary Act). Subsequently, California's legislature passed Senate Bill 6 and Assembly Bill 1413 that provided details on how to implement Proposition 14. The new laws made many changes to how primaries are conducted in California for some offices, but also kept many other aspects of how primaries are conducted for other offices.

Past Primaries included:

- Races for Partisan Offices where voters from a particular party nominated their candidates at the primary to advance to the General Election, where they would face candidates from other parties.
- Races for Nonpartisan Offices where all voters voted for any candidate on the ballot and the top two vote getters advanced to the General Election, where they would face each other.

The Top Two Primary Act created **Voter-Nominated Offices**:

- Some partisan offices (Congressional Offices and State Offices) are no longer known as partisan offices. They are now known as Voter-Nominated Offices.
- Candidates from all parties will be listed on the same ballot and voters from all parties can vote for them.
- The top two vote getters, regardless of party preference, will advance to the General Election.
- "Political party affiliation" is now known as "political party preference."
- The candidate's party preference will be listed on the ballot.
- The candidate's ballot designation will be listed on the ballot.
- Write-in candidates are allowed in the Primary Election.
- Write-in candidates are not allowed in the General Election.
- Political parties can submit a list of endorsed candidates to be published in the Voter Information Guide and Sample Ballot.

Party-Nominated Offices (formally known as Partisan Offices) still exist, but will only appear on the ballot during Presidential Election cycle and will NOT appear on the ballot in 2014:

- Some partisan offices (President and Party Central Committees) have changed in name only. They are now known as Party-Nominated Offices.
- Only party members can vote in party nominated office races. However, a party may allow nonpartisan voters to vote in their races.
- The top vote getter from each party in a presidential race will advance to the General Election to face nominees from other parties.
- There is no run-off election in party central committee races.

The rules for **Non- Partisan Offices** have not changed:

- All voters will vote for any candidate on the ballot and the top two vote getters will advance to the General Election where they will face each other.
- If a candidate receives more than 50% of the vote, they are elected to office.
- The candidate’s party preference will not be listed on the ballot.
- The candidate’s ballot designation will be listed on the ballot.

C. Election Calendar

Below are the key dates and timelines for the March 17, 2015 Special Primary Election for State Senate District 21. For a comprehensive list of all deadlines for this election, visit the Secretary of State’s website, <http://elections.cdn.sos.ca.gov/special-elections/2015-sd21/primary-calendar.pdf>

January 13 – January 16, 2015	<u>Petition In-Lieu period</u> - Candidates may circulate <i>Petition In-Lieu of Filing Fee</i> to obtain signatures that may lower the cost of the non-refundable filing fee.
January 13 – January 23, 2015	<u>Candidate Filing Period</u> Monday, January 13 through Friday, January 23, 2015 during normal business hours at San Bernardino County Elections Office.
January 23, 2015	<u>Deadline for Candidates to Withdraw</u> No candidate shall withdraw after this date for offices which do not have an extension period.
January 24 – February 3, 2015	<u>Public Examination Period</u> Candidate statements are available for public examination at the Elections Office. During this period, any citizen may seek a writ of mandate or an injunction requiring the material in the statements to be amended or deleted.
January 26, 2015	<u>Random Alphabet Drawing</u> The Secretary of State will conduct a drawing of letters of the alphabet to determine the order in which candidates will appear on the ballot.
January 19 – March 3, 2015	<u>Write-in Candidate Filing Period</u> Write-in candidates may pick up candidate filing documents at the San Bernardino County Elections Office.
February 16, 2015	<u>FPPC 1st Pre-election Statement Due</u> Deadline to submit first pre-election campaign disclosure statement covering the period of 1/1/2015 to 2/10/2015.
February 16 – March 17, 2015	<u>Early Voting Period</u> Early votes may be cast at the San Bernardino County Elections Office and other locations during regular business hours. For a list of locations, visit www.sbcountyelections.com .
March 02, 2015	<u>Voter Registration Deadline</u> Deadline to register to be eligible to vote in the March 17, 2015 Special Primary Election for State Senate District 21.
March 5, 2015	<u>FPPC 2nd Pre-election Statement Due</u> Second pre-election campaign disclosure statement covering the period of 2/11/2015 to 2/28/2015 is due.
March 17, 2015	<u>Election Day</u> Polling places will be open for poll voters and voters dropping off mail ballots from 7 a.m. to 8 p.m. Vote counting at the Elections Office is open for public and candidate viewing. At 8:15 p.m. and every two hours on the hour thereafter, Unofficial Results will be released. Results may also be viewed at www.sbcountyelections.com .
March 27, 2015	<u>Official Canvass Deadline</u> Deadline for the San Bernardino County Elections Office to certify election results.

II. ELECTIVE OFFICE INFORMATION

The Elective Office section of this guide contains information regarding the offices up for election in San Bernardino County for this election. Also included is information about incompatible offices, eligibility requirements, key dates and important deadlines.

A. Offices Up For Election

The following table lists the office that is up for election for the March 17, 2015 Special Primary Election:

Jurisdiction	Office	# to be Elected	Term (years)
State of California	State Senator, District 21	1	1.5

B. Salary and Qualifications

The Salary and Qualification section of this guide contains salary information and the required qualifications that candidates must meet for each office up for election. References to qualifications for Federal and State offices may be found on the California Secretary of State's website, <http://elections.cdn.sos.ca.gov/special-elections/2015-sd21/qualifications-requirements.pdf>

- State Senator
 - a. Salary:
 - i. State Senator – \$95,291
 - b. Qualifications: Every candidate shall:
 - i. Be a U.S. citizen.
 - ii. Be a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person.
 - iii. Not have been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any such crimes.
 - iv. If he or she was first elected to the Legislature after June 2012, and has not previously served in the State Senate or Assembly during his or her lifetime, serve no more than 12 years in the State Senate, the Assembly, or both, in any combination of terms.
 - v. If he or she was elected to the State Senate before June 2012, not have served two terms in the State Senate since November 6, 1990.
 - vi. If he or she was elected to the Assembly before June 2012, not have served three terms in the Assembly since November 6, 1990.

C. Notice to Candidates Regarding Incompatible Offices

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

There is no single statute that defines “incompatibility of offices”. The common law doctrine of incompatibility of offices; however, prevents an elected official from holding two offices simultaneously if the offices have overlapping and conflicting public duties.

The courts have defined this concept as follows: “One individual may not simultaneously hold two public offices where the functions of the offices concerned are inherently inconsistent, as where there are conflicting interests, or where the nature of the duties of the two offices is such as to render it improper due to considerations of public policy for one person to retain both”.

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

- The offices of city councilperson and school district board member where the city and the school district have territory in common;
- Fire chief of a county fire protection district and member of the board of supervisors of the same county;
- High school district trustee and trustee of an elementary school district which is wholly within the geographic boundaries of the high school district;
- Water district director and a city council member;
- Water district director and a school district trustee having territory in common;
- Deputy Sheriff and County Supervisor

If you have a question about whether two public offices which you hold or seek to hold would be considered incompatible, contact the California State Attorney General’s office at (916) 445-9555 or visit their website, www.ag.ca.gov. For further information regarding conflict of interest or incompatibility of offices, visit the Fair Political Practices Commission’s website at www.fppc.ca.gov, or phone toll free at (866) 275-3772.

III. CANDIDATE FILING PROCESS

In order to become a candidate for office, candidates must file various documents and pay all required fees with the Elections Office of the Registrar of Voters. For the March 17, 2015 Special Primary Election for State Senate District 21, candidates may request candidate filing documents beginning January 13, 2015, and must return the completed candidate filing documents by 5 p.m. on January 23, 2015.

A non-refundable *Filing Fee* (see section A below) must be paid to the Elections Office before candidate filing documents will be issued for certain offices. To help candidates reduce the amount of their filing fee, candidates may circulate and submit a *Petition In Lieu of Filing Fee* (see section B below). This petition contains signatures of registered voters within the candidate's district, and each valid signature on the petition will reduce the filing fee.

For certain offices, candidates must collect a designated number of valid signatures on a *Nomination Petition* (see section C below) and submit that petition when filing to run for office.

To officially declare themselves a candidate for office, all candidates must file a *Declaration of Candidacy* (see section D below) form. On the *Declaration of Candidacy* form, candidates declare which office they are running for, how their name shall appear on the ballot, and whether or not they want a ballot designation to appear on the ballot under their name. If a candidate wants a ballot designation, they must complete a *Ballot Designation Worksheet* (see section E below).

Candidates may elect to have a statement of qualifications printed in the *Voter Information Guide*. Candidate statements provide candidates an opportunity to speak to voters regarding their background, education, qualifications, and platform. If a candidate wants a statement printed in the guide, they must indicate this request on the *Candidate Statement Form*. (See section F below)

A. Filing Fees

A filing fee is a non-refundable payment that must be paid to the election official. Filing fees vary by office and are typically calculated based on a percentage of the office's annual salary. Not all offices require filing fees; however, if a filing fee is required, then the filing fee must be paid at the time a candidate requests filing documents.

For federal and state offices, the non-refundable filing fee must be paid to the office of the Secretary of State. Candidates may submit payments to the Elections Office, and these payments will be forwarded to the state. For all other offices, the non-refundable filing fee is paid to the Elections Office. Payments are accepted in the form of cash, personal check, cashier's check, money order, or credit card.

The filing fee for the office in this election is provided below:

Jurisdiction	Office	Filing Fee
State of California	State Senator	\$971.97

B. Petition In Lieu of Filing Fee

The *Petition In Lieu of Filing Fee* is a form that contains signatures of registered voters within a particular district. Candidates who are required to pay a filing fee may circulate and submit this petition to help reduce the cost of the filing fee. Each signature is assigned a value, based on the office, and each valid signature gathered will reduce the filing fee. The amount of the reduction is calculated by multiplying the number of valid signatures submitted times the signature value assigned to that office.

The *Petition In Lieu of Filing Fee* form is available for pick-up at the Elections Office beginning January 13, 2015, and completed petitions must be filed no later than 5 p.m. on January 16, 2015.

Valid signatures collected on the *Petition In Lieu of Filing Fee* form will also be counted towards the nomination requirement for that office (refer to the Nomination Petition section for more information).

The maximum number of signatures allowed to be collected, and the value for each valid signature for each office are listed below:

Jurisdiction	Office	Max Signature Allowed	Signature Value
State of California	State Senator	161	\$6.05

C. Nomination Petition

A *Nomination Petition* is a form that contains signatures of registered voters within a particular district. Some offices have a nomination requirement. For these offices, candidates must collect a certain number of valid signatures on the *Nomination Petition* in order to run for office. The minimum and maximum number of signatures allowed to be collected varies by office. If potential candidates choose to circulate and submit a *Petition in Lieu of Filing Fee*, the number of valid signatures collected on that petition is also applied to the nomination requirement.

Nomination Petition forms are available for pick-up at the Elections Office beginning January 13, 2015, and completed petitions must be filed no later than 5 p.m. on January 23, 2015.

The minimum and maximum number of signatures allowed to be collected for this office is listed below:

Jurisdiction	Office	Min. Signature	Max. Signature
State of California	State Senator	40	60

D. Declaration of Candidacy

The *Declaration of Candidacy* is a required form that all candidates must file in order to officially become a candidate. On the *Declaration of Candidacy*, candidates declare which office they are running for, how their name shall appear on the ballot, and whether or not they request a ballot designation. If a candidate requests a ballot designation, they must complete a *Ballot Designation Worksheet* (refer to the Ballot Designation section for more information).

The *Declaration of Candidacy* will be available at the start of the candidate filing period, which begins on January 13, 2015, and must be filed by 5 p.m., January 23, 2015. Once filed with the Elections Office, the *Declaration of Candidacy* becomes a public record and is available for viewing by the public upon request.

E. Ballot Designation

A ballot designation appears under the candidate's name on the ballot and describes that candidate's principal profession, vocation or occupation. Candidates may elect to have a ballot designation appear under their name on the ballot. Candidates who choose to do so must declare on the *Declaration of Candidacy* that they request to have a ballot designation.

Candidates who choose to have a ballot designation must also complete the *Ballot Designation Worksheet*. The *Ballot Designation Worksheet* is a form that a candidate uses to select the proper ballot designation and to justify the reason for selecting that designation.

There are specific rules regarding selecting a ballot designation, and these rules are outlined in several statutes in both the California Administrative Code (§20710-20719), and the Elections Code (§13107 and §20714). The rules regarding selecting a ballot designation are complex, and may be challenging to navigate for some candidates. To assist candidates in this process, the Elections Office has created a *Ballot Designation Worksheet Guide*, and staff will use this guide to assist candidates as they attempt to select the proper ballot designation when filing.

The *Ballot Designation Worksheet* will be available at the start of the candidate filing period, which begins on January 13, 2015, and must be filed along with the *Declaration of Candidacy* by 5 p.m. on January 23, 2015. Once filed with the Elections Office, the *Ballot Designation Worksheet* becomes public record, and is available for viewing by the public upon request.

F. Candidate Statement

A Candidate Statement provides candidates an opportunity to speak to voters regarding their background, education, qualifications, and platform.

Candidate Statements are printed in the *Voter Information Guide*. This guide is mailed to all registered voters approximately one month prior to the election. Candidates may elect to have a statement printed in the guide. Candidates who choose to do so are required to pay the estimated costs of including their Candidate Statement in the *Voter Information Guide* at the time of filing. The actual costs of inclusion will be determined after the election, and participating candidates will either receive a refund or be responsible for paying additional costs at that time. A list of estimated costs for candidate statements, by district, is listed in the section on "Estimated Costs for Candidate Statements".

All candidates, regardless of whether or not they choose to publish a Candidate Statement, are required to complete and file a *Candidate Statement Form*. On this form, candidates will indicate whether or not they elect to file a candidate statement, and will submit the printed text of the statement if they choose to file one. A *Candidate Statement Form* may be filled out prior to filing by accessing it on the Elections Office website at www.sbcountyelections.com. Alternatively, the form can be filled out at the Elections Office at the time of filing.

Candidates for State Senate and State Assembly offices must also file the Fair Political Practices Commission (FPPC) Form 501 and accept the voluntary campaign expenditure limits in order to purchase space for a candidate statement in the San Bernardino County Voter Information Guide.

The form and content of each candidate statement is regulated by California Elections Code and by Elections Office policy. The “Candidate Statement Composition” section is provided to candidates as a resource for constructing a candidate statement.

Prior to publication, candidate statements are available for public examination for ten days. The ten day public examination period begins immediately following the filing deadline. During the public examination period, the Elections Office or any voter of the jurisdiction may seek a writ of mandate or an injunction requiring that any or all material in the candidate statement be amended or deleted.

In addition to seeking a writ of mandate or an injunction, the Elections Office may strike any language not in compliance with California Elections Code or Elections Office policy. For more information regarding California Elections Code or Elections Office policy, refer to the “Candidate Statement Composition - Contents” section.

1. Estimated Costs for Candidate Statements

Candidates who elect to have a statement printed in the *Voter Information Guide* are required to pay the estimated costs of including their Candidate Statement in the *Voter Information Guide* at the time of filing. The actual costs of inclusion will be determined after the election, and participating candidates will either receive a refund or be responsible for paying additional costs at that time.

Estimated costs for candidate statements are calculated by district at \$.035 per registered voter. Payments are accepted in the form of cash, personal check, cashier’s check and money order, or credit card.

Listed below is the estimated cost for a candidate statement for this election:

Office	Registered Voters	Estimated Cost \$.035 per Voter
State Senator, District 21	137,113	\$4,799

2. Candidate Statement Composition

To compose a candidate statement, candidates should be aware of two factors: form and content. The form of a candidate statement refers to the word count, type size, spacing and formatting. The content of a candidate statement refers to the descriptions or expression of the candidate's background, education, qualifications, endorsements, and platform.

a. Form

California Elections Code §13307 dictates that candidate statements shall be a brief description of no more than two-hundred words, shall be printed in type of uniform size and darkness, and with uniform spacing. Jurisdictions may increase the maximum number of words allowed, up to four-hundred.

The Elections Office interprets this to mean that candidate statements shall be typed in upper and lower case letters when appropriate, and not all capital letters. Additionally, candidate statements shall be free from non-standard or atypical spacing, and shall not contain any *italicized* or **bolded** letters.

It is the policy of the Elections Office that, in order for a candidate statement to be printed in the *Voter Information Guide*, candidate statements must fit inside a half page square that measures 4.75" wide by 3.25" tall, and must be printed in size 8 Arial font.

In computing the word count of a candidate statement, it is important for candidates to keep in mind that only the text of the statement is included in the calculation of the word count. The title of the candidate statement, which includes the candidate's name, age, and occupation, does not affect the word count for a statement. Examples for counting words within a candidate statement are provided below:

Category	Example	Word Count
Acronyms	SBSU, PTA, U.S.M.C., S.B.P.D.	One
Date	01/01/2010	One
Date	January 1, 2000	One
Email	jdoe@rov.sbcounty.gov	One
Geographical name- (Specific City, County, or State)	San Bernardino, or County of San Bernardino	One
Geographical area- (Not a Specific City, County, or State)	Victor Valley, or Inland Empire	Two
Hyphenated words (Published in U.S dictionary within the past 10 years)	mother-in-law	One
Hyphenated words (Not published in U.S dictionary within the past 10 years)	Taxpayer-advocate	Two
Internet address	www.sbcountyelections.com	One
Numbers	1, 10, or 100	One
Numerical Computations	50%, ½, etc.	One
Telephone numbers	(909) 387-8300	One
Symbols	& or #	One

b. Content

California Elections Code

California Elections Code §13307 dictates that candidate statements shall be a brief description that expresses the candidate's education and qualifications, and shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. Nothing in the candidate's statement shall be deemed to make any such statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements.

California Elections Code §13308 requires that statements shall be limited to a recitation of the candidate's own personal background and qualifications. Statements shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities. The election official shall not cause to be printed or circulated any statement that the election official determines is not so limited, or that includes any reference prohibited by this section.

Elections Office Policy

It is the policy of the San Bernardino County Elections Office that a candidate's background may include details regarding the candidate's platform. A candidate's platform describes what they stand for and what they intend to do if they are elected.

It is the policy of the San Bernardino County Elections Office that if a candidate statement is determined to not be in compliance with the Elections Code, the Elections Office may strike any language not in compliance, may not print or circulate the statement, or may seek a writ of mandate or an injunction, requiring that the candidate statement be amended or deleted.

It is the policy of the Elections Office that the candidate be fully responsible for ensuring that all spelling, punctuation, and grammar in a Candidate Statement is correct and free from errors. The Elections Office is not responsible for proofreading for spelling, punctuation, and grammatical errors. Only a cursory review of the candidate's statement will be done at the time of filing to ensure that the statement is acceptable.

It is the policy of the San Bernardino County Elections Office that any named individual or specific organization listed as an endorsement in a candidate statement (see Example A below) must be verified as endorsing the candidate prior to printing in the *Voter Information Guide and Sample Ballot*. Verification of the endorsement must be in the form of a copy of a letter of endorsement, or in a direct communication from the endorser to the Elections Office in the form of an email or facsimile correspondence. All endorsements or verification of endorsements from an individual or organization of a candidate should be submitted no later than five days after the end of the filing period.

Example A: "...I am endorsed by County Supervisor John Doe, Senator Jane Smith and the San Bernardino League of Women Voters."

In Example A, the Elections Office would require an email, facsimile or copy of the letter of endorsement from Supervisor Doe, Senator Smith and the San Bernardino League of Women Voters to allow these endorsements to be printed.

Example B: "...I am endorsed by police, firefighters, nurses and teachers throughout San Bernardino County."

In Example B, the Elections Office would not require verification of the endorsement because the statement does not identify a specific individual or organization.

G. Candidate Statement Examples

The following examples are provided to demonstrate the difference between an acceptable and unacceptable candidate statement:

Example of an Acceptable Candidate Statement

NAME: THOMAS GARRISON	AGE: 50
OCCUPATION: Businessman/Parent	
I believe all residents deserve a high quality of water, and excellent service at an affordable cost.	
As your next elected member of the Board of Directors of the High Plains Water District, my legal education will enable me to advocate effectively on your behalf. My years of experience of having served on several boards has prepared me for working well with other board members – by supporting good policy and ensuring all important issues are discussed when tough decisions need to be made.	
My family has lived in this community for over thirty years and we've been blessed to be able to give back to our community through many years of community volunteerism – my wife volunteers at our local senior center and boy's and girl's club, and our daughters have been known to sing and dance at or participate at various local community events.	
Qualifications – Community Volunteer	
<ul style="list-style-type: none">• Board of Directors – Neighborhood Housing Services: 1985 – 2000.• Commissioner – Community Action Commission: 2005 – Present• Board of Directors – Douglasville Hospital: 2004-2006• President – Occupational Health Committee 2010 – Present	
Thank you for your support!	
Vote for Thomas Garrison! Thank you for your support!	

Example of an Unacceptable Candidate Statement

The highlighted portions are examples of what is not allowed in the candidate statement, including making reference to another candidate and improper formatting, such as using italics, bolding, improper capitalization, non-uniform spacing, and using various sized fonts.

NAME: THOMAS GARRISON	AGE: 50
OCCUPATION: Businessman/Parent	
I believe all residents deserve a high quality of water, and excellent service at an affordable cost. The current director, Tom Smith, hasn't been doing his job and is cheating the taxpayers.	
As your next elected member of the Board of Directors of the High Plains Water District, <i>my legal education</i> will enable me to advocate effectively on your behalf. My years of experience of having served on several boards has prepared me for working well with other board members – by supporting good policy and ensuring all important issues are discussed when tough decisions need to be made.	
My family has lived in this community for over Thirty Years and we've been blessed to be able to give back to our community through many years of COMMUNITY VOLUNTEERISM. My wife volunteers at our local senior center and boy's and girl's club, and our daughters have been known to sing and dance at or participate at various local community events.	
Qualifications – Community Volunteer	
<ul style="list-style-type: none"> • Board of Directors – Neighborhood Housing Services: 1985 – 2000. • Commissioner – Community Action Commission: 2005 – Present • Board of Directors – Douglasville Hospital: 2004-2006 • President – Occupational Health Committee 2010 – Present 	
Thank you for your support!	
* * * * *	Vote for Thomas Garrison!
	* * * * *

H. Candidate Statement Checklist

The following checklist is provided to assist candidates with identifying errors that may prevent a statement from being printed as intended in the *Voter Information Guide*:

1. Is your statement prepared on the form provided by the Elections Office?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. Does your statement contain 200 words or less?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Is your statement free of extra spaces?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4. With the exception of acronyms, is your statement free of words spelled in all CAPITAL letters?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
5. Is your statement free of bold letters or characters?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
6. Is your statement free of italicized words?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
7. Is your statement free of references, direct or implied, to any other candidate or officeholder?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8. Is your statement free of any references, direct or implied, to any other candidate or officeholder's qualifications, character, or activities?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
9. Is your statement free of any reference to your political party affiliation or partisan political activity?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
10. Is your statement free of any false information, or information that may be deemed as slanderous or libelous?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
11. Is your statement limited to your own personal background, education, qualifications, and platform upon which you will run?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
12. If your statement contains endorsements, do you have documentation to present from the individual(s) or specific organization(s) endorsing you?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you answered "No" to any of the questions above, your statement may contain content that is prohibited by California Elections Code or Elections Office policy.

IV. FAIR POLITICAL PRACTICES COMMISSION FILINGS

The Fair Political Practices Commission (FPPC) is an independent regulatory agency that enforces campaign finance laws. The San Bernardino County Elections Office is one of many filing agents for the FPPC, and is responsible for working with candidates who are required to submit financial disclosure statements. However, it is the responsibility of the candidates and committees to be aware of filing deadlines and to file the required forms in a timely manner.

Generally, candidates running for federal, state, and judicial offices should file their required financial disclosure statements with the office of the Secretary of State. Candidates running for county and special district offices should file their required financial disclosure statements with the Elections Office. Candidates running for municipal offices should file their required financial disclosure statements with the clerk for that municipality.

A. Statement of Economic Interest Form 700

All candidates (including incumbents) for offices specified in Government Code §87200 must file a *Statement of Economic Interests Form 700* no later than the final filing date for their Declaration of Candidacy. Exception: A statement is not required if a candidate filed a statement for the same jurisdiction within 60 days before filing a *Declaration of Candidacy*. [Government Code §87302.3](#)

B. Additional Fair Political Practices Commission Filing Forms

The following list of financial disclosure forms may be required for candidates running for office. Please refer to the instructions for filing, which is included with the form for requirements and filing locations.

- Form 410 - Statement of Organization: Candidates that plan to spend or receive campaign contributions of \$1,000 or more must file this form.
- Form 460 - Recipient Committee Campaign Statement: Candidates who file a Form 410 are required to file Form 460.
- Form 470 - Officeholder and Candidate Campaign Statement-Short Form: Candidates that do not plan to spend or receive campaign contributions of \$1,000 or more must file this form.
- Form 470 - Supplement: If a candidate subsequently spends or receives campaign contributions of \$1,000 or more, after filing an initial Form 470, a Supplement Form 470 must be filed. This form must be filed within forty-eight hours of reaching the \$1,000 limit.
- Form 501 - Candidate Statement of Intention and Campaign Contributions: Candidates must file this form prior to accepting any campaign contributions or making any campaign expenditures.
 - Candidates for State Senate and State Assembly offices must file Form 501 and accept the voluntary campaign expenditure limits if they wish to purchase space for a candidate statement in the San Bernardino County Voter Information Guide.

V. CAMPAIGN LAWS AND REGULATIONS

There are several laws and regulations relating to the conduct of candidates and campaigns organizations. The codes below may be of interest to candidates and campaign managers. Therefore, the San Bernardino County Elections Office has cited some useful codes for candidates to reference. The following information is intended to be used as reference only. Refer to the appropriate statutes, including Election and Government Codes for more information.

A. Political Sign Regulations

The following guidelines pertaining to the posting of temporary political signs in San Bernardino County areas are provided to be of assistance. For more detailed information, contact your local code enforcement office.

1. Definition of Temporary Political Signs

Temporary political signs are typically identified by one of the following:

- The name or a picture of an individual seeking election or appointment to a public office.
- Related to an upcoming public election or referendum.
- Advocates a person, group, or party's political views or policies.

2. Permitted Uses of Temporary Political Signs

Temporary political signs are subject to specific regulations. Listed below are some rules that candidates should be aware of. Temporary political signs shall:

- Be removed within 30 days after the same election.
- Have a maximum area of 8 square feet in residential land use districts and 32 square feet in all other land use districts, unless the sign is an accessory (e.g. campaign headquarters) or a permissible primary sign.
- Not be erected within any street intersection, sight triangle or at any location where the sign may interfere with, obstruct the view of, or be confused with any authorized traffic sign.
- Be nailed or affixed to any tree, fence post or public utility pole and shall not be located in the public right-of-way, parkway or on publicly owned land.

3. San Bernardino County Right-of -Ways

Political signs may not be placed on or within San Bernardino County flood control or road rights-of-way.

4. State Political Sign Regulations

The Elections Office provides each candidate with the Department of Transportation's *Statement of Responsibility Form*. If a candidate requires additional information about state regulations, candidates are advised to contact the Department of Transportation office at 464 West 4th Street, San Bernardino, CA 92401, or by phone at (909) 383-4631.

5. Statement of Responsibility for Temporary Political Signs

The State Outdoor Advertising Act §5405.3 exempts the placing of temporary political signs from normal outdoor advertising display requirements. However, temporary political signs must meet specific criteria. Temporary political signs must:

- Encourage a particular vote in a scheduled election.
- Not be placed sooner than 90 days prior to the scheduled election.
- Be removed within 10 days after that election.
- Not be larger than 32 square feet.

Candidates that place temporary political signs are required to file a *Statement of Responsibility* with the Department of Transportation, certifying the person who will be responsible for removing the sign. The Elections Office provides each candidate with the Department of Transportation's *Statement of Responsibility Form*. Candidates must submit completed forms to the Division of Traffic Operations at the address located on the form.

6. County Code Enforcement Office

For specific political sign restrictions in unincorporated areas of the county, candidates should contact the following offices:

- Building and Safety
- Code Enforcement
- Fire Hazard Abatement
- Planning

To reach one of the offices above, contact the Lane Use Services Department at the County Government Center, 385 N. Arrowhead Ave., San Bernardino, during regular business hours by phone at (909) 387-8311, or by fax at (909) 387-3223.

7. City Political Sign Regulations

The placement of signs within city limits is regulated by each city respectively. Candidates are advised to contact each city code enforcement office directly for additional information.

B. Campaign Literature

The statute number following the (§) symbol references the corresponding Elections Code.

§ 18301 – Printing of simulated sample ballots – It is a misdemeanor to print or duplicate a ballot or sample ballot that uses an official seal or insignia.

§ 18302 – Distribution of precinct polling place information – It is illegal to mail literature to any voter that intentionally misrepresents that voter's official polling place.

§ 18303 – Mass mailing penal provisions – There are regulations for sending mass mailings and there are legal consequences to not complying with these rules.

§ 18304 – Use of seal in campaign literature is misdemeanor – It is illegal to use the seal of the county or local government agency in any campaign literature or mass mailing.

C. Political Meetings

§ 18340 – Threats, intimidations or violence – Every person who, by threats, intimidations, or unlawful violence, willfully hinders or prevents electors from assembling in public meetings for the consideration of public questions is guilty of a misdemeanor.

D. Misrepresentation of Candidates

§

§ 18350 – Misleading voters – It is illegal for every person who attempts to mislead voters in connection with a campaign by pretending that he or she is the incumbent of a public office or has been acting in the capacity of a public office, when neither is the case.

§ 18351 – False statements in candidate statement – Any candidate may be fined up to \$1,000 for knowingly making a false statement in a candidate's statement with the intent to mislead voters.

E. Electioneering

§ 18370 – Electioneering within 100 feet of a polling place. – No person, on election day, or at any time that a voter may be casting a ballot within 100 feet of a polling place, a satellite location under Section 3018, or an election official's office shall:

- Circulate an initiative, referendum, recall, nomination petition or any other petition.
- Solicit a vote or speak to a voter on the subject of marking his or her ballot.
- 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.
- Do any electioneering as defined by Section 319.5.
- As used in this section, "100 feet of a polling place, a satellite location under Section 3018, or an election official's office" means 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.

§ 18371 – Electioneering during vote by mail period – Electioneering is not allowed while in the home or presence of a vote by mail voter while that voter is voting.

F. Truth in Endorsement Laws

§ 20001 – Legislature's findings – The voting public is entitled to protection by law deception in political campaigns in the same manner and for the same reasons that it is entitled to protection from deception by advertisers of commercial products.

§ 20006 – Restraining order or injunction – The superior court, in any case brought before it by any registered voter, may issue a temporary or permanent restraining order or injunction against the publication, printing, circulation, posting, broadcasting, or telecasting of any matter in violation relating to election campaigns.

§ 20007 – Representation requirements – No candidate or committee shall use the name of a qualified political party with which the candidate is not affiliated that might mislead voters into believing that the candidate has the support of that party’s county central committee or state central committee, when that is not the case.

§ 20008 – Political advertisement requirements – Any paid political advertisement shall contain the words “Paid Political Advertisement”. 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.

G. Fair Campaign Practices

§ 20400 – Intent of legislature – Encouragement to subscribe to the Code of Fair Campaign Practices, which follows the basic principles of decency, honesty, and fair play.

§ 20420 – Definition of “Code” – Information on what the Code of Fair Campaign means.

H. Libel and Slander

§ 20500 – Election campaigns – This section is about libel and slander in campaign advertising or communication.

§ 20501 – Persons liable – Candidates or proponents for a measure are liable for any slander, or libel committed by their committee.

The statute number following the (§) symbol references the corresponding California Government Codes.

I. Mailings

§ 82041.5 – Mass mailing – “Mass mailing” means over two hundred substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry.

§ 84305 – Mass mailings requirements:

- No candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass.
- If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.
- If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included.

§ 84305.5 – Slate mailers requirements – This section outlines legal requirements that must be met to send out a slate mailer including, but not limited to: identification and contact information for the organization or committee sending the mailer, formatting of the mail piece, a legal notice to voters, and identification and designation requirements for candidates.

§ 84310 – Telephone calls supporting or opposing a candidate or ballot measure – This section outlines the restrictions on and requirements for candidates, committees, or slate mailer organizations that pay for telephone calls that advocate support of or opposition to a candidate, ballot measure, or both.

VI. ELECTIONS OFFICE SERVICES

The Elections Office offers a wide range of products and services for candidates and the general public. These services include providing public access terminals, and selling voter and precinct information, including certifications, reports, and maps. The following section provides details regarding how to take advantage of the products and services offered by the Elections Office.

A. Public Viewing Terminals

The voter registration database may be viewed from a public terminal in the lobby area of the San Bernardino County Elections Office. The public viewing terminal is available during normal business hours, Monday through Friday, 8 a.m. to 5 p.m. The public terminal screen does not reveal confidential voter registration information. Confidential information includes items such as: residential street address, telephone number, precinct number, occupation, driver’s license number, and the last four digits of a social security number.

B. Voter and Precinct Information

Voter information and maps are available for purchase at the San Bernardino County Elections Office. A valid picture ID is required to purchase the first order. If candidates are unable to visit in person, the San Bernardino County Elections Office is available by phone at (909) 387– 8300.

When purchasing voter information, an *Application for Voter Information* must be completed and an explanation must be provided as to the purpose for requesting this information. Payment must be made for all orders in advance. The Elections Office will inform the requestor when the order is ready for pickup. Orders are processed in the order they are received. Generally, there is a turnaround time of approximately three business days.

The Elections Office provides a multitude of options for purchasing voter and precinct information including reports, maps, and voter files. The list below provides an overview of services offered by the Election Office:

- Reports:
 - a. Statement of votes cast
 - b. Multi– purpose voter text file
 - i. Information provided includes voter name, residential address, mailing address, party affiliation, registration date, phone number, e-mail address, voting history, and if the voter votes by mail.
 - c. Walking List
 - i. List of voters printed out in the order needed to canvas a precinct.
 - ii. Information provided includes voter name, residential address, party affiliation, phone number, and if the voter votes by mail.
 - iii. List may be provided in various sort orders based including alphabetical order, by street name, and by house number.
 - d. Recurring vote by mail file
 - i. Information provided includes voter name, residential address, mailing address , party affiliation, registration date, phone number, e-mail address, voting history, and if the voter votes by mail.
 - ii. Election specific information provided on the status of the mail ballot included when the ballot was requested, when the ballot was mailed, if the mail ballot has returned to the Elections Office, and if the mail ballot was accepted or challenged.
- Maps may be purchased in hard copy or electronically (.pdf):
 - a. Precinct map
 - i. Information provided includes street level detail with precinct labels.
 - b. District map
 - i. Information provided includes street level detail with precinct and street labels.
 - c. Custom Map
 - i. Information provided is specific to the customer’s request.
- Mail labels:
 - a. Information provided includes assigned precinct, voter name, mailing address, and residence address.
 - b. Labels may be printed via various sort orders based on the information provided.
- Services
 - a. Certification of voter registration
 - b. Equipment rental
 - c. Voter registration searches
 - d. Verification letter of voter registration search

To learn more about the services listed above or other Elections Office services, please contact the office by phone at (909)387-8300, or by email at communications@sbcountyelections.com.

Restrictions on the use of voter information

Per confidentiality laws of 1995, voter information is confidential. However, there are specific permissible exceptions to the law. The California Administrative Code, Title 2, Division 7, Chapter 1, Article 1, Sections 19003, 19004, & 19005 specifies permissible uses for any data obtained from voter registration files. Permissible usage includes direct election campaigning, surveys in conjunction with an election campaign, and distribution of information of a political nature. Data obtained from voter registration or election files may not be sold, leased, loaned, reproduced, or possession thereof relinquished without receiving written authorization to do so from the Secretary of State or the Elections Office. Prohibited usage includes commercial purposes and solicitations of contributions or services for any purpose other than on behalf of a candidate or political party, or in support of or opposition to a ballot measure.



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The information contained in this guide is for general purposes 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. The candidate should obtain the most up-to-date information available because of possible changes in law.