

# Consolidated Mail Ballot Election

**August 25, 2015**

Candidate Filing Guide  
For Special Districts



Elections Office of the Registrar of Voters



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## I. INTRODUCTION

The Elections Office administers all local, state, and federal elections in San Bernardino County, including managing the candidate filing process, voter registration, election ballot processing, and vote tallying. Currently, the Elections Office is planning for the candidate filing period for the August 25, 2015 Consolidated Mail Ballot Election. This Candidate Filing Guide has been provided as a resource for candidates who may be filing to run for office in this election.

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 eligibility requirements, and incompatible offices.

The **Candidate Filing Process** section contains information regarding the various forms required to file for office, and information regarding how to properly select a ballot designation and construct a candidate statement.

The **Fair Political Practices Commission Filings** section briefly explains the required forms that candidates 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. Election Calendar

Below are the key dates and timelines for the August 25, 2015 Consolidated Mail Ballot Election.

May 4 – May 29, 2015	<b><u>Candidate Filing Period</u></b> Candidates may request and file candidate filing documents in order to run for office.
May 29, 2015	<b><u>Last Day to File Nomination Papers/ Withdraw Nomination Papers</u></b> Nomination papers and candidate statements must be filed no later than this date during normal business hours as posted. Candidates may withdraw their nomination until the close of the nomination period
May 30 – June 3, 2015	<b><u>Candidate Filing Extension Period</u></b> If an incumbent fails to file candidate filing documents by May 29, there will be a 5-calendar-day extension during which any candidate, other than the incumbent, may file.
May 30 – June 8, 2015	<b><u>Public Examination Period</u></b> 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.
June 4, 2015	<b><u>Random Alphabet Drawing</u></b> The Secretary of State will conduct a drawing of letters of the alphabet to determine the order in which candidates' names will appear on the ballot.
June 29 – August 11, 2015	<b><u>Write-in Candidate Filing Period</u></b> Write-in candidates may request and file candidate filing documents to become a qualified write-in candidate.
July 16, 2015	<b><u>FPPC 1<sup>st</sup> Pre-election (combined with Semi-Annual) Statement Due</u></b> Candidates must file the first pre-election campaign disclosure statement.
August 13, 2015	<b><u>FPPC 2<sup>nd</sup> Pre-election Statement Due</u></b> Candidates must file the second pre-election campaign disclosure statement.
July 27 – August 24, 2015	<b><u>Early Voting Period</u></b> Early votes may be cast at the San Bernardino County Elections Office during regular business hours. For a more information, visit <a href="http://www.sbcountyelections.com">www.sbcountyelections.com</a> .
August 10, 2015	<b><u>Voter Registration Deadline</u></b> Deadline to register to be eligible to vote in the August 25, 2015 Consolidated Mail Ballot Election.
August 25, 2015	<b><u>Election Day</u></b> Vote counting at the Elections Office is open for public and candidate viewing. At 8:05 p.m. and every two hours on the hour thereafter, Unofficial Results will be released. Results may also be viewed at <a href="http://www.sbcountyelections.com">www.sbcountyelections.com</a> .
September 24, 2015	<b><u>Official Canvass Deadline</u></b> 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 and eligibility requirements.

### A. Offices Up For Election in 2015 Consolidated Mail Ballot Election

The following table lists the offices that are up for election for which candidates may file candidate filing documents in the August 25, 2015 Consolidated Mail Ballot Election.

Jurisdiction	Special District Offices	# to be Elected	Term (years)
Baker Community Services District	Member, Board of Directors	2	4
Mariana Ranchos County Water District	Member, Board of Directors	2	4
Mariana Ranchos County Water District	Member, Board of Directors	1	2
Twentynine Palms Water District	Member, Board of Directors	2	4

### B. Qualifications

The Qualification section of this guide contains the required qualifications that candidates must meet for each office up for election.

#### 1. Community Services Districts:

- At the time nomination documents are issued a candidate must be (Government Code §61040(b)) –
  - a. A registered voter residing within the district or division

#### 2. Water District - County:

- At the time nomination documents are issued a candidate must be (Water Code §§30500, 30735) –
  - a. A registered voter residing within the district or division

#### 3. Water District - Municipal:

- At the time nomination documents are issued a candidate must be (Water Code §71501) –
  - a. A registered voter residing within the district or division

### **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 is 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](http://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](http://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 with the Elections Office. For the August 25, 2015 Consolidated Mail Ballot Election, candidates may request candidate filing documents beginning May 4, 2015, and must return the completed candidate filing documents by 5 p.m. on May 29, 2015.

To officially declare themselves a candidate for office, all candidates must file a *Declaration of Candidacy* (see section A 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 B below).

Candidates may elect to have a statement of qualifications printed in the *Voter Information Guide* which is mailed to voters 31 days prior to each election. 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*.

## **A. 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 May 4, 2015, and must be filed by 5 p.m., May 29, 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.

## **B. 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). 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 May 4, 2015 and must be filed along with the *Declaration of Candidacy* by 5 p.m. on May 29, 2015. Once filed with the Elections Office, the *Ballot Designation Worksheet* becomes public record, and is available for viewing by the public upon request.

### **C. 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](http://www.sbcountyelections.com). Alternatively, the form can be filled out at the Elections Office at the time of filing.

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. (Elections Code §13313(b))

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 \$.03 per registered voter. A minimum cost of \$250 is required for all districts in which the total number of registered voters is below 8,333. Payments are accepted in the form of cash, personal check, cashier's check, money order, or credit card.

Listed below are the estimated costs for candidate statements by district for this election:

Jurisdiction	Special District Offices	Estimated Cost
Baker Community Services District	Member, Board of Directors	\$250
Mariana Ranchos County Water District	Member, Board of Directors	\$250
Twentynine Palms Water District	Member, Board of Directors	\$250

## 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 200 words, shall be printed in type of uniform size and darkness, and with uniform spacing.

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, or January 1, 2000	One
Email	jdoe@rov.sbcounty.gov	One
Proper Noun or Geographical name- (Specific City, County, or State)	John Doe, County of San Bernardino, or Inland Empire	One
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 is fully responsible for ensuring that all spelling, punctuation, and grammar in a Candidate Statement are correct. The Elections Office is not responsible for proofreading, spelling, punctuation, or grammatical errors. A comprehensive review of the candidate's statement will be done at the time of filing to establish 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.

## D. 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

<b>NAME:</b> THOMAS GARRISON	<b>AGE:</b> 50
<b>OCCUPATION:</b> Business man/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"> <li>• Board of Directors – Neighborhood Housing Services: 1985 – 2000.             <ul style="list-style-type: none"> <li>• Commissioner – Community Action Commission: 2005 – Present</li> <li>• Board of Directors – Douglasville Hospital: 2004-2006</li> <li>• President – Occupational Health Committee 2010 – Present</li> </ul> </li> </ul>	
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.

<b>NAME:</b> THOMAS GARRISON	<b>AGE:</b> 50
<b>OCCUPATION:</b> Business man/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 <b>tough decisions</b> 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 <b>COMMUNITY VOLUNTEERISM</b> . 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"> <li>• Board of Directors – Neighborhood Housing Services: 1985 – 2000.</li> <li>• Commissioner – Community Action Commission: 2005 – Present</li> <li>• Board of Directors – Douglasville Hospital: 2004-2006</li> <li>• President – Occupational Health Committee 2010 – Present</li> </ul>	
Thank you for your support!	
* * * * *	
<b>Vote for Thomas Garrison!</b>	
* * * * *	

## E. 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, school, 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. For more information about campaign finance regulations, call the FPPC at (866) 275-3772 or the Secretary of State's Political Reform Division at (916) 653-6224.

- 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 Form 470 Supplement must be filed. This form must be filed within forty-eight hours of reaching the \$1,000 limit.
- Form 501 - Candidate Intention Statement: Candidates must file this form prior to accepting any campaign contributions or making any campaign expenditures.
  - a. State Senate and State Assembly candidates are required to accept the voluntary campaign expenditure limits in order to have a candidate statement printed 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 campaign organizations. In the sections below, 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 Code and Government Code 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 Rights-of-Way**

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 Land 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 section 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 any person who intends 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 from 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 Practices 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, the last four digits of a social security number, and signature.

### **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 canvass 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 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.
- Mailing labels:
  - a. Information provided includes assigned precinct, voter name, and mailing 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@sbcouneyelections.com](mailto:communications@sbcouneyelections.com).

### **C. Restrictions on the use of voter information**

Pursuant to Elections Code 2194, voter information is confidential but permissible to use for election, political, scholarly, journalistic or governmental purposes only. Voter information shall not be used for any personal, private or commercial purposes; shall not be sold, leased or loaned to any other person without written authorization from the Elections Office; and shall not be sent or made available in any way to persons outside of the United States. Any person who knowingly uses or permits the use of all or any part of this information for any purpose other than as permitted by law is guilty of a misdemeanor or felony and may be subject to fines, imprisonment, or both.









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San Bernardino, CA 92415-0770  
(909) 387-8300 Office (909) 387-2022 Fax  
[www.sbcountyelections.com](http://www.sbcountyelections.com)

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.