

**PROCEDURES
FOR COUNTY, MUNICIPAL AND DISTRICT
INITIATIVES**



PREPARED BY

**SOLANO COUNTY
REGISTRAR OF VOTERS**

675 Texas Street, Suite 2600
Fairfield, CA 94533
(707) 784-6675

Updated January 2024

TABLE OF CONTENTS

READ THIS FIRST iv

COUNTY INITIATIVE 1

COUNTY INITIATIVE 1

 File Notice of Intention 1

Notice of Intention to Circulate Petition 1

 Deposit of Fee 1

 County Counsel Prepares Title and Summary 1

 Publish Notice of Intent and Ballot Title and Summary 1

 File Publication Affidavit 2

 Title and Summary Writ of Mandate 2

 Petition Preparation 2

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE
VOTERS 2**

 Form of Petition 2

NOTICE TO THE PUBLIC 3

**SIGN ONLY IF IT IS THE SAME MONTH SHOWN IN THE OFFICIAL
TOP FNDERS OR YOU SAW AN “OFFICIAL TOP FUNDERS” SHEET
FOR THIS MONTH. 3**

 Declaration of Circulator 4

 Who May Circulate the Petition 4

 When to Circulate the Petition 4

 Who May Sign the Petition 5

 When to File the Petition 5

 Filing of Petition 5

 Examination of Signatures 5

 Requirements for Ordinance to Become Effective 7

 Conflicting Ordinances 7

 Repeal of Ordinance 7

MUNICIPAL INITIATIVES 8

MUNICIPAL INITIATIVES 8

File Notice of Intention 8

Notice of Intent to Circulate Petition..... 8

Deposit of Fees 8

City Attorney Prepares Ballot Title and Summary 8

Publish Notice of Intention and Ballot Title and 9

File Publication Affidavit 9

Title and Summary Writ of Mandate 10

Petition Preparation 10

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS 10

Form of Petition 10

Declaration of Circulator 11

Who May Circulate the Petition 12

When to Circulate the Petition 12

When to File the Petition 13

Examination of Signatures 13

Mayor May Veto 14

Valid Ordinance if Majority 14

Than One Ordinance at Same Election 14

DISTRICT INITIATIVES 15

DISTRICT INITIATIVES 15

Overview 15

Definitions 15

Publish of Notice of Intention 15

Notice of Intention to Circulate Initiative Petition..... 15

File Publication Affidavit 16

Form of Petition 16

Affidavit of Circulator 16

When to Circulate the Petition	16
Who May Sign the Petition	16
When to File Petition	16
Examination of Signatures	17
Ordinance Submitted at Next Statewide Election.....	17
CAMPAIGN DISCLOSURE REQUIREMENTS.....	19
Political Reform Act	19
If You Plan to Raise or Spend Money	19
MASS MAILING REQUIREMENTS	20
HYPOTHETICAL CALENDER OF EVENTS.....	22

READ THIS FIRST

Any person or group desiring to start and circulate an initiative petition is strongly advised to contact private legal counsel to guide and advise them through the many steps involved in the petition process. The Solano County Registrar of Voters cannot give legal advice or interpret law. The following information is intended as only an introduction to the initiative process. While we believe it faithfully restates the Elections Code, it is not intended for use in lieu of legal counsel and should not be relied on in place of the actual law. Note that County measures do not necessarily have any legal effect on cities, but city residents are able to vote on countywide measures. While the process for city initiatives is similar, readers are advised to talk directly with the city clerk for information regarding city initiatives.

Initiative proponents and/or their legal counsel should be familiar with the County or City Codes to fit their ordinance in the proper place and conform to County or City law and conventions.

Elections staff are more than happy to work with initiative proponents on the initiative process, timelines, and petition format. We cannot help proponents with the content of proposed ordinance or the theory and practice of initiative petition drives. (Note: The state Constitution prohibits initiatives from embracing more than one subject (Art. II, § 8(d)) and the court has held the same is true for local initiatives (*Pala Band of Mission Indians v. Board of Supervisors* (1997) 54 Cal.App4th 565). Contact your legal counsel to determine whether your measure involves more than one subject.)

There are costs involved in an initiative petition, from the filing fee to legal notice costs to getting the petitions printed. It is in everyone's best interests to be prepared and have everything correct before moving on to the next step.

All references are to the California Elections Code (e.g., § 9101) unless otherwise noted. The initiative process begins with Section 9000; county initiatives begin with Section 9100, city initiatives begin with Section 9200, district initiatives begin with Section 9300.

The Elections Code is a stickler on format and type size. The body type for this document is Times Roman 12 point. **This is Times Roman 12 point bold.** This is Times Roman 11 point. This is Times Roman 8 point. This is Arial 8 point (a sans serif typeface). **This is Arial 12 point.**

COUNTY INITIATIVE

Initiative: a procedure enabling a specified number of voters by petition to propose a law and secure its submission to the electorate or to the governing board for approval.

1. **File Notice of Intention**

Before circulating any initiative petition in a county, the proponents shall file with the Registrar of Voters a Notice of Intention. The notice shall include the names and business or residence addresses of at least one but not more than five proponents and shall be accompanied by the written text of the initiative and a request that a ballot title and summary be prepared. The notice shall be in substantially the following form:

Notice of Intention to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the County of Solano for _____. A statement of the reasons of the proposed action as contemplated in the petition is as follows: (*optional statement*)

The Notice of Intention may include a printed statement, not to exceed 500 words in length, stating the reasons for the proposed petition.

§§ 9103(a), 9104

2. **Deposit of Fee**

Any person filing a notice of intention with the Registrar of Voters Office shall pay a fee of two hundred dollars (\$200.00) to be refunded to the filer if, within one year of the date of filing the notice of intention, the Registrar of Voters certifies the sufficiency of the petition.

§ 9103(b))

3. **County Counsel Prepares Title and Summary**

Upon filing, the Registrar of Voters shall transmit a copy of the proposed measure to County Counsel. Within 15 days County Counsel prepares the ballot title and summary not to exceed 500 words. The Registrar of Voters furnishes a copy of the ballot title and summary to the proponents.

§ 9105(a)(b)

4. **Publish Notice of Intent and Ballot Title and Summary** (*Before proponents can circulate petition*)

The proponents shall, prior to the circulation of the petition, publish the Notice of Intention, and the ballot title and summary of the proposed measure in a newspaper of general circulation in Solano County.

§ 9105(b)

5. **File Publication Affidavit**

Prior to circulation, the proponents shall file the proof of publication with the Registrar of Voters.

§ 9105(b)

6. **Title and Summary Writ of Mandate**

Any elector of the county may seek a writ of mandate requiring the ballot title or summary to be amended. The court shall expedite hearing on the writ.

§ 9106

7. **Petition Preparation**

The proponents are responsible for the preparation and printing of the petition. The ballot title and summary prepared by the county counsel shall appear upon each section of the petition, above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman boldface type not smaller than 11 point. The ballot title and summary shall be clearly separated from the text of the measure. The text of the measure shall be printed in type not smaller than 8 point.

The heading of the proposed measure shall be in substantially the following form:

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The county counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the county counsel. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

§ 9105(c)

8. **Form of Petition**

Notwithstanding any other provision of law, whenever any initiative or referendum is required to be signed by voters of any county, city, school district, or special district subject to petitioning, only a person who is an eligible registered voter at the time of signing the petition is entitled to sign it. Each signer shall at the time of signing the petition personally affix his or her signature, printed name, and place of residence, including the street and number of the place of residence, and if no street or number for the place of residence exists, then a designation of the place of residence that will enable the location to be readily ascertained and the name of the incorporated city or unincorporated community.

A space at least one inch wide shall be left blank after each name for the use of the elections official in verifying the petition. The part of a petition for the signatures, printed names, and

residence addresses of the voters and for the blank spaces for verification purposes shall be numbered consecutively commencing with the number one and continuing through the number of signature spaces allotted to each section. The number of signatures attached to each section shall be at the pleasure of the person soliciting the signatures. The petition format shall be substantially in the following form and shall contain the notice to the public in 11 pt type, before that portion of the petition for voter’s signature, printed names, and residence addresses, the following language, in order:

(1) “NOTICE TO THE PUBLIC:”. This text shall be in a boldface type.

(2) If the petition includes the disclosure statement described by subdivision (b) of Section 107, the text “SIGN ONLY IF IT IS THE SAME MONTH SHOWN IN THE OFFICIAL TOP FUNDERS OR YOU SAW AN “OFFICIAL TOP FUNDERS” SHEET FOR THIS MONTH.” This text shall be in a boldface type.

(3) “THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.” This text shall be in a non-boldface type.

§§ 100, 101, 9020

NOTICE TO THE PUBLIC
SIGN ONLY IF IT IS THE SAME MONTH SHOWN IN THE OFFICIAL TOP FUNDERS OR
YOU SAW AN “OFFICIAL TOP FUNDERS” SHEET FOR THIS MONTH.
THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A
VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

REGISTERED VOTERS ONLY

REGISTERED VOTERS ONLY				This Column for Official Use Only
1.	Print Your Name	Residence Address Only		
	Sign as Registered to Vote	City	Zip	
2.	Print Your Name	Residence Address Only		
	Sign as Registered to Vote	City	Zip	
3.	Print Your Name	Residence Address Only		
	Sign as Registered to Vote	City	Zip	
4.	Print Your Name	Residence Address Only		
	Sign as Registered to Vote	City	Zip	
5.	Print Your Name	Residence Address Only		
	Sign as Registered to Vote	City	Zip	
6.	Print Your Name	Residence Address Only		
	Sign as Registered to Vote	City	Zip	

Each section of the petition shall bear a copy of the notice of intention, and the title and summary prepared by the county counsel.

§ 9108

9. **Declaration of Circulator**

Whenever any petition is submitted to the elections official, each section of the petition shall have attached to it a declaration signed by the circulator of the petition, in the circulator’s own handwriting. A sample declaration is shown below:

<p>DECLARATION OF CIRCULATOR</p> <p>(To be completed in circulator’s own handwriting after above signatures have been obtained.)</p> <p>I, _____, am 18 years of age or older.</p> <p style="text-align: center;"><small>(Print Name)</small></p> <p>My residence address is _____.</p> <p style="text-align: center;"><small>Address/City/State/Zip or if no street or number exists, adequate designation of residence</small></p> <p>I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. All signatures on the document were obtained between the dates of _____ and _____.</p> <p style="text-align: center;"><small>(Month/Day/Year) (Month/Day/Year)</small></p> <p>I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p> <p>Executed on _____ at _____, California.</p> <p style="text-align: center;"><small>(Date) (Place of Signing)</small></p> <p style="text-align: center;">_____</p> <p style="text-align: center;"><small>(Signature of Circulator)</small></p>
--

Dates of circulation, printed name and residence address must be in circulator’s own handwriting.

§§ 104, 9109

10. **Who May Circulate the Petition**

A person who is 18 years of age or older.

§§ 102, 9021

11. **When to Circulate the Petition**

The proponents may begin to circulate the petition among the voters of the county for signatures by any registered voter of the county after publication of the title and summary prepared by county counsel.

§ 9108

During the circulation of the petition or before taking any action to either submit the initiative to the voters or enact the ordinance, the Board of Supervisors may refer the initiative to any county agency or agencies for review and a report on its effect and fiscal impact. The report shall be presented to the Board of Supervisors no later than 30 days after certification of the petition’s sufficiency by the county elections official to the Board of Supervisors.

§ 9111

The Registrar of Voters shall ascertain the number of signatures required to sign the petition by obtaining the number of votes cast within the county for all candidates for Governor at the last gubernatorial election preceding the publication of the notice of intention.

§ 9107

12. **Who May Sign the Petition**

Only persons who are eligible registered voters of the county at the time of signing the petition are entitled to sign it.

§ 100

A voter who is unable to personally affix on a petition the information required may request another person to print the voter's name and place of residence on the appropriate spaces of the petition, but the voter shall personally affix his or her mark or signature on the appropriate space of the petition, which shall be witnessed by one person by subscribing his or her name thereon.

§ 100.5

13. **When to File the Petition**

Signatures shall be secured and the petition shall be presented to the county elections official for filing within 180 days from the date of receipt of the title and summary, or after termination of any action for a writ of mandate and, if applicable, after receipt of an amended title or summary or both, whichever occurs later.

§ 9110

14. **Filing of Petition**

The petition shall be filed by the proponents, or by any person or persons authorized in writing by the proponents. All sections of the petition shall be filed at one time. Any sections of the petition not so filed shall be void for all purposes. Once filed, no petition section shall be amended except by order of a court of competent jurisdiction.

When the petition is filed, the county elections official shall determine the total number of signatures affixed to the petition. If, from this examination, the county elections official determines that the number of signatures, prima facie, equals or is in excess of the minimum number of signatures required, the county elections official shall examine the petition in accordance with Section 9114 or 9115.

(If the signatures, prima facie, do not equal or exceed the minimum number of signatures required, no further action shall be taken)

§ 9113

15. **Examination of Signatures**

a) Except as provided in Section 9115, within 30 days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, the elections official shall examine the petition, and from the records of registration ascertain whether or not the petition is signed by the requisite number of voters. A certificate showing the results of this examination shall be attached to the petition.

§ 9114

b) If more than 500 signatures have been signed on the petition, the district elections official may use a random sampling technique for verification of signatures. The random sample of signatures to be verified shall be drawn in such a manner that every signature filed with the elections official shall be given an equal opportunity to be included in the sample. A random sampling shall include an examination of at least 500 or 3 percent of the signatures, whichever is greater.

§ 9115(a)

c) The elections official shall attach to the petition, a certificate showing the result of this examination, and shall notify the proponents of either the sufficiency or insufficiency of the petition.

§ 9115(d)

d) If the petition is found insufficient, no action shall be taken on the petition. However, the failure to secure sufficient signatures shall not preclude the filing later of an entirely new petition to the same effect.

§ 9115(e)

e) If the petition is found sufficient, the elections official shall certify the results of the examination to the board of supervisors at the next regular meeting of the board.

§ 9115(f)

16. **Sufficient Signatures; Adopt Ordinance or Order Election**

NOTE: The votes for Governor in the last Gubernatorial Election 11/8/2022 was 130,619
10% = 13,062

If the initiative petition is signed by voters not less in number than 10 percent of the entire vote cast in the county for all candidates for Governor at the last gubernatorial election preceding the publication of the notice of intention to circulate an initiative petition, the board of supervisors shall do one of the following:

- a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.
- b) Submit the ordinance, without alteration, to the voters.
- c) Order a report pursuant to § 9111 at the regular meeting at which the certification of the petition is presented. When the report is presented to the Board of Supervisors, the board shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

§ 9118

Except as provided in subdivision (b), the election for a county initiative that qualifies pursuant to Section 9118 shall be held at the next statewide election occurring not less than 88 days after the date of the order of election. The election for a municipal or district initiative that qualifies pursuant to Section 9215 or 9310 shall be held at the jurisdiction's next regular election occurring not less than 88 days after the date of the order of election.

§ 1405(a)

The governing body of a county, city, or district may call a special election for the purpose of submitting an initiative measure to the voters before the date on which the initiative measure would appear on the ballot pursuant to subdivision (a). If the governing body calls a special election pursuant to this subdivision, the election shall be held not less than 88 days nor more than 103 days after the order of the election.

§ 1405(b)

17. **Requirements for Ordinance to Become Effective**

If a majority of the voters voting on a proposed ordinance vote in its favor, the ordinance shall become a valid and binding ordinance of the county. The ordinance shall be considered as adopted upon the date the vote is declared by the board of supervisors, and shall go into effect 10 days after that date.

§ 9122

18. **Conflicting Ordinances**

If the provisions of two or more ordinances adopted at the same election conflict, the ordinance receiving the highest number of affirmative votes shall control.

§ 9123

19. **Repeal or Amendment of Ordinance**

No ordinance proposed by initiative petition and adopted either by the Board of Supervisors without submission to the voters or adopted by the voters shall be repealed or amended except by a vote of the people, unless provision is otherwise made in the original ordinance. In all other respects, an ordinance proposed by initiative petition and adopted shall have the same force and effect as any ordinance adopted by the Board of Supervisors.

§ 9125

MUNICIPAL INITIATIVES

Any proposed ordinance may be submitted to the legislative body of the city by a petition filed with the city clerk, in the manner hereinafter prescribed, after being signed by not less than the number of voters specified in this article. The petition may be in separate sections, providing that the petition complies with §§ 9200-9226. The first page of each section shall contain the title of the petition and the text of the measure. The petition sections shall be designated in the manner set forth in § 9020.

1. **File Notice of Intention**

Before circulating an initiative petition in any city, the proponents of the matter shall file with the city elections official a notice of intention to do so, which shall be accompanied by the written text of the initiative and may be accompanied by a written statement not in excess of 500 words, setting forth the reasons for the proposed petition. The notice shall be signed by at least one, but not more than three, proponents and shall be in substantially the following form:

Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition with the City of _____ for the purpose of _____ . A statement of the reasons of the proposed action as contemplated in the petition is as follows:

§9202

2. **Deposit of Fees**

Any person filing a notice of intent with the city clerk shall pay a fee, to be established by the city council, not to exceed two hundred dollars (\$200.00) to be refunded to the filer if, within one year of the date of filing the notice of intention, the city elections official certifies the sufficiency of the petition.

§ 9202(b)

3. **City Attorney Prepares Ballot Title and Summary**

Any person who is interested in any proposed measure shall file a copy of the proposed measure with the elections official with a request that a ballot title and summary be prepared. This request shall be accompanied by the address of the person proposing the measure. The elections official shall immediately transmit a copy of the proposed measure to the city attorney. Within 15 days after the proposed measure is filed, the city attorney shall provide and return to the city elections official a ballot title for and summary of the proposed measure. The ballot title may differ from any other title of the proposed measure and shall express in 500 words or less the purpose of the proposed measure. In providing the ballot title, the city attorney shall give a true and impartial statement of the purpose of the proposed measure in such language that the ballot title shall neither be an argument, nor be likely to create prejudice, for or against the proposed measure.

§ 9203(a)

4. **Publish Notice of Intention and Ballot Title and Summary**
(Before proponents can circulate petition)

A notice of intention and the title and summary of the proposed measure shall be published or posted or both as follows

(a) If there is a newspaper of general circulation, as described in Chapter 1 (commencing with Section 6000) of Division 7 of Title 1 of the Government Code, adjudicated as such, the notice, title, and summary shall be published therein at least once.

(b) If the petition is to be circulated in a city in which there is no adjudicated newspaper of general circulation, the notice, title, and summary shall be published at least once, in a newspaper circulated within the city and adjudicated as being of general circulation within the county in which the city is located and the notice, title, and summary shall be posted in three (3) public places within the city, which public places shall be those utilized for the purpose of posting ordinances as required in Section 36933 of the Government Code.

(c) If the petition is to be circulated in a city in which there is no adjudicated newspaper of general circulation, and there is no newspaper of general circulation adjudicated as such within the county, circulated within the city, then the notice, title, and summary shall be posted in the manner described in subdivision (b).

This section does not require the publication or posting of the text of the proposed measure.
§ 9205.

5. **File Publication Affidavit**

Within 10 days after the date of publication or posting, or both, of the notice of intention and title and summary, the proponents shall file a copy of the notice and title and summary as published or posted together with an affidavit made by a representative of the newspaper in which the notice was published or, if the notice was posted, by a voter of the city, certifying to the fact of publication or posting.

If the notice and title and summary are both published and posted pursuant to subdivision (b) of Section 9205, the proponents shall file affidavits as required by this section made by a representative of the newspaper in which the notice was published certifying to the fact that the notice was published and by a voter of the city certifying to the fact that the notice was posted.

These affidavits, together with a copy of the notice of intention and title and summary, shall be filed with the elections official of the legislative body of the city in his or her office during normal office hours as posted.

§ 9206

6. **Title and Summary Writ of Mandate**

Any elector of the city may seek a writ of mandate requiring the ballot title or summary prepared by the city attorney to be amended. The court shall expedite hearing on the writ. A peremptory writ of mandate shall be issued only upon clear and convincing proof that the ballot title or summary is false, misleading, or inconsistent with the requirements of Section 9203.

§ 9204

7. **Petition Preparation**

The person proposing the measure shall, prior to its circulation, place upon each section of the petition, above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman type not smaller than 11 point, the ballot title prepared by the city attorney. The text of the measure shall be printed in type not smaller than 8 point.

The heading of the proposed measure shall be in a boldface type in substantially the following form:

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the city attorney. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

(§ 9203(b))

8. **Form of Petition**

(a) Notwithstanding any other provision of law, whenever an initiative, referendum, recall, nominating petition or paper, or any other petition or paper, is required to be signed by voters of a county, city, school district, or special district subject to petitioning, only a person who is an eligible registered voter at the time of signing the petition or paper is entitled to sign the petition or paper. A person who submits his or her affidavit of registration pursuant to subdivision (d) of Section 2102 is not eligible to sign a petition or paper unless at the time of the signing of the petition or paper he or she is 18 years of age.

(b) A signer shall at the time of signing the petition or paper personally affix his or her signature, printed name, and place of residence, including the street and number of the place of residence, and if no street or number for the place of residence exists, then a designation of the place of residence that will enable the location to be readily ascertained. An incomplete or inaccurate apartment or unit number in the signer's residence address shall not invalidate his or her signature pursuant to Section

105. A space at least one inch wide shall be left blank after each name for the use of the elections official in verifying the petition or paper.

(c) The part of a petition for the signatures, printed names, and residence addresses of the voters and for the blank spaces for verification purposes shall be numbered consecutively commencing with the number one and continuing through the number of signature spaces allotted to each section.

§ 100, 101, 9020

Notwithstanding any other law, a state or local initiative, referendum, or recall petition required to be signed by voters shall contain in 11-point type, before that portion of the petition for voters' signatures, printed names, and residence addresses, the following language, in order:

NOTICE TO THE PUBLIC
SIGN ONLY IF IT IS THE SAME MONTH SHOWN IN THE OFFICIAL TOP FUNDERS OR
YOU SAW AN "OFFICIAL TOP FUNDERS" SHEET FOR THIS MONTH.
THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A
VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

REGISTERED VOTERS ONLY

REGISTERED VOTERS ONLY				This Column for Official Use Only
1.	Print Your Name	Residence Address Only		
	Sign as Registered to Vote	City, State	Zip	
2.	Print Your Name	Residence Address Only		
	Sign as Registered to Vote	City, State	Zip	
3.	Print Your Name	Residence Address Only		
	Sign as Registered to Vote	City, State	Zip	
4.	Print Your Name	Residence Address Only		
	Sign as Registered to Vote	City, State	Zip	
5.	Print Your Name	Residence Address Only		
	Sign as Registered to Vote	City, State	Zip	
6.	Print Your Name	Residence Address Only		
	Sign as Registered to Vote	City, State		

§101

Each section of the petition shall bear a copy of the notice of intention, and the title and summary prepared by the city attorney.

§ 9207

9. **Declaration of Circulator**

Each section shall have attached thereto the declaration of the person soliciting the signatures. This declaration shall be substantially in the same form as set forth in Section 9022.

§ 9209.

A sample declaration is shown below:

<p>DECLARATION OF CIRCULATOR (To be completed after above signatures have been obtained in circulator's own handwriting)</p> <p>I, _____, am 18 years or older. <small>(Print Name)</small></p> <p>My residence address is _____. <small>(Address/City/State/Zip)</small></p> <p>I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. All signatures on the document were obtained between the dates of _____ and _____. <small>(Month/Day/Year) (Month/Day/Year)</small></p> <p>I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p> <p>Executed on _____ at _____, California. <small>(Date) (Place of Signing)</small></p> <p style="text-align: right;">_____ <small>(Signature of Circulator)</small></p>

Dates of circulation, printed name and residence address must be in the circulator's own handwriting.
§§104, 9022

10. **Who May Circulate the Petition**

A person who is a voter or who is qualified to register as a voter of the city may circulate petitions.

§ 9207

11. **When to Circulate the Petition**

The proponents may begin to circulate the petitions among the voters of the city for signatures by any registered voter of the city after publication of the title and summary prepared by the city attorney. Each section shall bear a copy of the notice of intention and the title and summary prepared by the city attorney.

§ 9207

During the circulation of the petition or before taking action as described in §9214(a) and (b) or §9215, the city council may refer the proposed initiative measure to any city agency or agencies for a report on its fiscal impact and any other effects or impacts as referred to in §9212. The report shall be presented to the city council no later than 30 days after the elections official certifies to the city council the sufficiency of the petition.

§9212

12. **Who May Sign the Petition**

Each section of the petition shall bear the name of the city. Only persons who are eligible registered voters of the city at the time of signing the petition are entitled to sign it.

§ 100

A voter who is unable to personally affix on a petition the information required may request another person to print the voter's name and place of residence on the appropriate spaces of

the petition, but the voter shall personally affix his or her mark or signature on the appropriate space of the petition, which shall be witnessed by one person by subscribing his or her name thereon.

§ 100.5

13. **When to File the Petition**

Signatures upon petitions and sections of petitions shall be secured, and the petition, together with all sections of the petition, shall be filed within 180 days from the date of receipt of the title and summary, or after termination of any action for a writ of mandate pursuant to Section 9204, and, if applicable, after receipt of an amended title or summary or both, whichever occurs later. Petitions and sections thereof shall be filed in the office of the elections official during normal office hours as posted. If the petitions are not filed within the time permitted by this section, the petitions shall be void for all purposes.

§ 9208

The petition shall be filed by the proponents or by a person or persons authorized in writing by the proponents. All sections of the petition shall be filed at one time. Once filed, a petition section shall not be amended except by order of a court of competent jurisdiction.

When the petition is presented for filing, the elections official shall do all of the following:

(a) Ascertain the number of registered voters of the city last reported by the county elections official to the Secretary of State pursuant to Section 2187 effective at the time the notice specified in Section 9202 was published.

(b) Determine the total number of signatures affixed to the petition. If, from this examination, the elections official determines that the number of signatures, prima facie, equals or is in excess of the minimum number of signatures required, he or she shall accept the petition for filing. The petition shall be deemed as filed on that date. If, from this examination, the elections official determines that the number of signatures, prima facie, does not equal or exceed the minimum number of signatures required, the official shall not take further action.

§ 9210

15. **Examination of Signatures**

After the petition has been filed, as herein provided, the elections official shall examine the petition in the same manner as are county petitions in accordance with Sections 9114 and 9115, except that for the purposes of this section, references to the board of supervisors shall be treated as references to the legislative body of the city

§ 9211

17. **Sufficient Signatures; Adopt Ordinance or Order Election**

If the initiative petition is signed by not less than 10 percent of the voters of the city, according to the last report of registration by the county elections official to the Secretary of State

pursuant to Section 2187, effective at the time the notice specified in Section 9202 was published, or, in a city with 1,000 or less registered voters, by 25 percent of the voters or 100 voters of the city, whichever is the lesser number, the legislative body shall do one of the following:

- a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.
- b) Submit the ordinance, without alteration, to the voters pursuant to Section 1405.
- c) Order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented. When the report is presented to the legislative body, the legislative body shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

§ 9215

The governing body of a county, city, or district may call a special election for the purpose of submitting an initiative measure to the voters before the date on which the initiative measure would appear on the ballot pursuant to subdivision (a). If the governing body calls a special election pursuant to this subdivision, the election shall be held not less than 88 days nor more than 103 days after the order of the election.

§ 1405(b)

17. **Mayor May Veto**

In cities having a mayor, or like officer, with the veto power, when the passage of an ordinance petitioned for by the voters is vetoed, the failure of the legislative body to pass the ordinance over the veto shall be deemed a refusal of the legislative body to pass the ordinance within the meaning of this article.

§ 9216

18. **Valid Ordinance if Majority**

If a majority of the voters voting on a proposed ordinance vote in its favor, the ordinance shall become a valid and binding ordinance of the city. The ordinance shall be considered as adopted upon the date that the vote is declared by the legislative body, and shall go into effect 10 days after that date. No ordinance that is either proposed by initiative petition and adopted by the vote of the legislative body of the city without submission to the voters, or adopted by the voters, shall be repealed or amended except by a vote of the people, unless provision is otherwise made in the original ordinance.

§ 9217

19. **More Than One Ordinance at Same Election**

Any number of proposed ordinances may be voted upon at the same election, but the same subject matter shall not be voted upon twice within any 12-month period at a special election under the provisions of this article.

§ 9218

DISTRICT INITIATIVES

1. Overview

In addition to any other method provided by law, ordinances may be enacted by any district pursuant to this article, except that this article shall not apply to irrigation districts, to a district formed under a law that does not provide a procedure for elections, to a district formed under a law which does not provide for action by ordinance, to a district governed by an election procedure that permits voters, in electing the district's directors or trustees, to cast more than one vote per voter, or to a district in which the directors are empowered to cast more than one vote per director when acting on any matter.

§ 9300

2. Definitions

“District,” for purposes of initiative and referendum under Chapter 4 (commencing with Section 9300) of Division 9, includes any regional agency that has the power to tax, to regulate land use, or to condemn and purchase land.

§ 317

“District elections official,” for the purposes of initiative and referendum under Article 1 (commencing with Section 9300) of Chapter 4 of Division 9, includes the county elections official or other officer or board charged with performing the duties required of the clerk of the district by that chapter.

§ 308

3. Publish of Notice of Intention

Before circulating an initiative petition in any district, the proponents of that measure shall publish a notice of intention. The notice shall be accompanied by a printed statement stating the reasons for the proposed petition. The printed statement shall not exceed 500 words. The notice shall be signed by at least one, but not more than five, proponents, and shall be in substantially the following form:

§ 9302

Notice of Intention to Circulate Initiative Petition

Notice is hereby given the intention of the persons whose names appear hereon of their intention to circulate the petition within the _____ district for the purpose of _____. A statement of the reasons for the proposed action as contemplated in the petition is as follows: *(Here set forth a not more than 500 word statement)*

The notice of intention and statement shall be published at least once in a newspaper of general circulation within the district.

§ 9303

4. **File Publication Affidavit**

Within 10 days after the date of publication or posting, or both, of the notice of intention and statement of the reasons for the proposed petition, the proponents shall file with the district elections official a copy of the notice and statement as published or posted, or both, together with the written text of the initiative and an affidavit made by a representative of the newspaper in which the notice was published or, if the notice was posted, by a voter of the district certifying to the fact of publication or posting.

§ 9304

5. **Form of Petition**

For petition format, refer to Chapter I – County Initiatives, #8.

Each section of the petition shall bear a copy of the notice of intention, and the statement of the reasons for the proposed action.

§§ 100, 9020, 9305

6. **Affidavit of Circulator**

Each section of the petition shall have attached to it a declaration signed by the circulator of the petition, in the circulator’s own handwriting. See Chapter I – County Initiatives, for a sample declaration.

Each section of the petition shall have attached thereto the affidavit of the person soliciting the signatures. This affidavit shall be substantially in the same form as set forth in Section 9022.

§§ 104, 9022, 9307

7. **When to Circulate the Petition**

After filing a copy of the notice of intention, statement of the reasons for the proposed petition, written text of the initiative, and affidavit of publication or posting with the district elections official pursuant to Section 9304, the petition may be circulated among the voters of the district for signatures by any person who meets the requirements of Section 102. Each section of the petition shall bear a copy of the notice of intention and statement.

§ 9305

8. **Who May Sign the Petition**

The petition may be signed by any person who is a registered voter in the district.

§ 100

9. **When to File Petition**

Signatures upon petitions and sections thereof shall be secured, and the petition, together with all sections thereof, shall be filed within 180 days from the date of filing the materials

specified in Section 9304 with the district elections official. If the petitions are not filed within the time permitted by this section, the petition and its sections shall be void for all purposes.

§ 9306

10. **Examination of Signatures**

Except as provided in Section 9309, within 30 days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, the district elections official shall examine the petition, and from the records of registration ascertain whether the petition is signed by the requisite number of voters. A certificate showing the results of this examination shall be attached to the petition.

§ 9308(a)

If more than 500 signatures have been signed on the petition, the district elections official may use a random sampling technique for verification of signatures. The random sample of signatures to be verified shall be drawn in such a manner that every signature filed with the elections official shall be given an equal opportunity to be included in the sample. A random sampling shall include an examination of at least 500 or 3 percent of the signatures, whichever is greater.

§ 9309

The district elections official shall notify the proponents as to the sufficiency or insufficiency of the petition.

§ 9308(c)

If the petition is found insufficient, no further action shall be taken. However, the failure to secure sufficient signatures, shall not preclude the filing of a new petition on the same subject, at a later date.

§§ 9308(d), 9309(e)

If the petition is found sufficient, the district elections official shall certify the results of the examination to the governing board of the district at the next regular meeting of the board.

§§ 9308(e), 9309(f)

11. **Ordinance Submitted at Next Regular or Statewide Election**

- (a) If the initiative petition is signed by voters not less in number than 10 percent of the voters in the district, if the total number of registered voters is less than 500,000, or not less in number than 5 percent of the voters in the district, if the total number of registered voters is 500,000 or more, the district board shall do either of the following:

- (1) Adopt the ordinance, without alteration, either at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

(2) Submit the ordinance, without alteration, to the voters pursuant to Section 1405.

- (b) The number of registered voters referred to in subdivision (a) shall be calculated as of the time of the last report of registration by the county elections official to the Secretary of State made before publication or posting of the notice of intention to circulate the initiative petition.

§ 9310 (a)(b)

The governing body of a county, city, or district may call a special election for the purpose of submitting an initiative measure to the voters before the date on which the initiative measure would appear on the ballot pursuant to subdivision (a). If the governing body calls a special election pursuant to this subdivision, the election shall be held not less than 88 days nor more than 103 days after the order of the election.

§ 1405(b)

CAMPAIGN DISCLOSURE REQUIREMENTS

Political Reform Act

Proponents of initiative or referendum petitions may have campaign disclosure requirements under the Political Reform Act. Government Code § 81000 et seq.

Manuals and forms can be ordered by calling the Fair Political Practices Commission toll free 1-866-275-3772 or by calling your local filing official at 707-784-6675. All forms and manuals may also be obtained by visiting the Fair Political Practices Commission's website at www.fppc.ca.gov

If You Plan to Raise or Spend Money

- First** Obtain a copy of "Campaign Disclosure Manual 3 for Committees Primarily Formed to Support or Oppose a Ballot Measure"
- Second** File a Form 410 – Statement of Organization. A person or group must file a statement of organization (Form 410) within 10 calendar days receiving contributions of \$1,000 or more in a calendar year.
- A Form 410 may be filed earlier to obtain an identification number which must be included on all campaign disclosure statements.
- Third** Once qualified, be prepared to file Form 460 (long form) or Form 450 (short form) Pre-election statements and Semi-Annual statements for your committee according to the filing schedule of the Fair Political Practices Commission.
- Elections Department staff will provide you with a schedule of specified filing deadlines prior to and following the election. For technical advice on completing the forms, call the Fair Political Practices Commission toll free at 1-866-275-3772 or visit their website at www.fppc.ca.gov.
- Fourth** File a Form 410 termination to terminate the committee upon completion of your initiative efforts. File the original and a copy with the Secretary of State and a copy with your local filing official

MASS MAILING REQUIREMENTS

(a) (1) Except as provided in subdivision (b), a candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not 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 mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type that is in a color or print that contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the candidate's, candidate controlled committee established for an elective office for the controlling candidate's, or political party committee's address is a matter of public record with the Secretary of State.

(2) Except as provided in subdivision (b), a committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass mailing that is not required to include a disclosure pursuant to Section 84504.2 unless the name, street address, and city of the committee is shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type that is in a color or print that contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the committee's address is a matter of public record with the Secretary of State.

(b) 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.

(c) (1) A candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not send a mass electronic mailing unless the name of the candidate or committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.

(2) A committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass electronic mailing that is not required to include a disclosure pursuant to Section 84502 or 84504.3 unless the name of the committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.

(d) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a) or (c).

(e) For purposes of this section, the following terms have the following meanings:

(1) “Mass electronic mailing” means sending more than 200 substantially similar pieces of electronic mail within a calendar month. “Mass electronic mailing” does not include a communication that was solicited by the recipient, including, but not limited to, acknowledgments for contributions or information that the recipient communicated to the organization.

(2) “Sender” means the candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable pursuant to Sections 84200 to 84216.5, inclusive.

(3) To “pay for” a share of the cost of a mass mailing means to make, to promise to make, or to incur an obligation to make, any payment: (A) to any person for the design, printing, postage, materials, or other costs of the mailing, including salaries, fees, or commissions, or (B) as a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.

(f) This section does not apply to a mass mailing or mass electronic mailing that is paid for by an independent expenditure.

§16, Government Code §84305

NOTE: Before planning any type of mass mailing contact the post office for the most current and specific postal regulations

HYPOTHETICAL CALENDER OF EVENTS

County Initiativ

* These dates are approximate. Actual dates will depend on the timing of the proponents completing filings and publication, completion of the Title and Summary prepared by the County Counsel, and the number of days proponents take to circulate the petition.

Days before election	Activity
383	<p>Proponents file with the Registrar of Voters the following:</p> <ul style="list-style-type: none"> a) Notice of Intention) b) Statement of Reasons, not exceeding 500 words. (This statement is permissive, not mandatory, except for districts.) c) Text of proposed initiative. d) Request for a Ballot Title and Summary. e) Their names, signatures and business or residence addresses. <p style="text-align: right;"> (§§ 9103, 9104)</p>
383	<p>The election official delivers the Notice of Intent to County Counsel.</p> <p style="text-align: right;"> (§ 9105a)</p>
368	<p>County Counsel to prepare Ballot Title and Summary.</p> <p style="text-align: right;"> (§ 9105)</p>
367	<p>Proponents publish Notice of Intention and Title and Summary (prior to circulation of the petition) as prepared by County Counsel. Proponents also file proof of publication with the election’s office.</p> <p style="text-align: right;"> (§ 9105b)</p>
366	<p>Proponents may begin to circulate the petitions after publication of the Notice of Intention and Title and Summary.</p> <p style="text-align: right;"> (§ 9108)</p> <p>During the circulation of the petition, or before adopting the ordinance or calling an election, the Board of supervisors may refer the proposed initiative measure to any county agency or agencies for a report on any or all of the following:</p> <ul style="list-style-type: none"> a) Its fiscal impact. b) Its effect on the internal consistency of the County’s general and specific plans including the, housing element, the consistency between planning and zoning, the limitations on county actions under section 65008 of the Government Code, and Chapters 4.2 (beginning with section 65913) and 4.3 (commencing with section 65915 Of Division 1 of Title 7 of the Government Code. c) Any other matters the Board of Supervisors request to be in the report. The report shall be presented to the board within the time prescribed by the board, but no later than 30 days after the county elections official certifies the sufficiency of the petition. <p style="text-align: right;"> (§ 9111)</p>

366	Signatures shall be secured, and the petition shall be submitted to the county elections official for filing within 180 days from the date the Title and Summary was received or after termination of any action for a writ of mandate. (§ 9110)
186	Last day to file petition in time to qualify for the next regular election. (§ 9110)
186	The election official has 30 working days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, to certify results to the Board of Supervisors. (§§ 9114, 9116)
144	Last day to verify the signatures. (§§ 9114, 9115)
114	Last day to receive report if ordered by the Board of Supervisors pursuant to Section. (§ 9111)
88	Last day Board of Supervisors to either adopt the ordinance or call an election. (§9118)
81	Last day to file arguments. (§ 9163)
77	Last day to file rebuttal arguments. (§ 9167)
83	Last day for County Counsel to prepare an Impartial Analysis. (§ 9160)
83	Last day for County Auditor to prepare Fiscal Impact Statement. (§§ 9160, 13303)
0	Election Day – Polls open from 7am to 8pm. (§§ 1000, 14212)