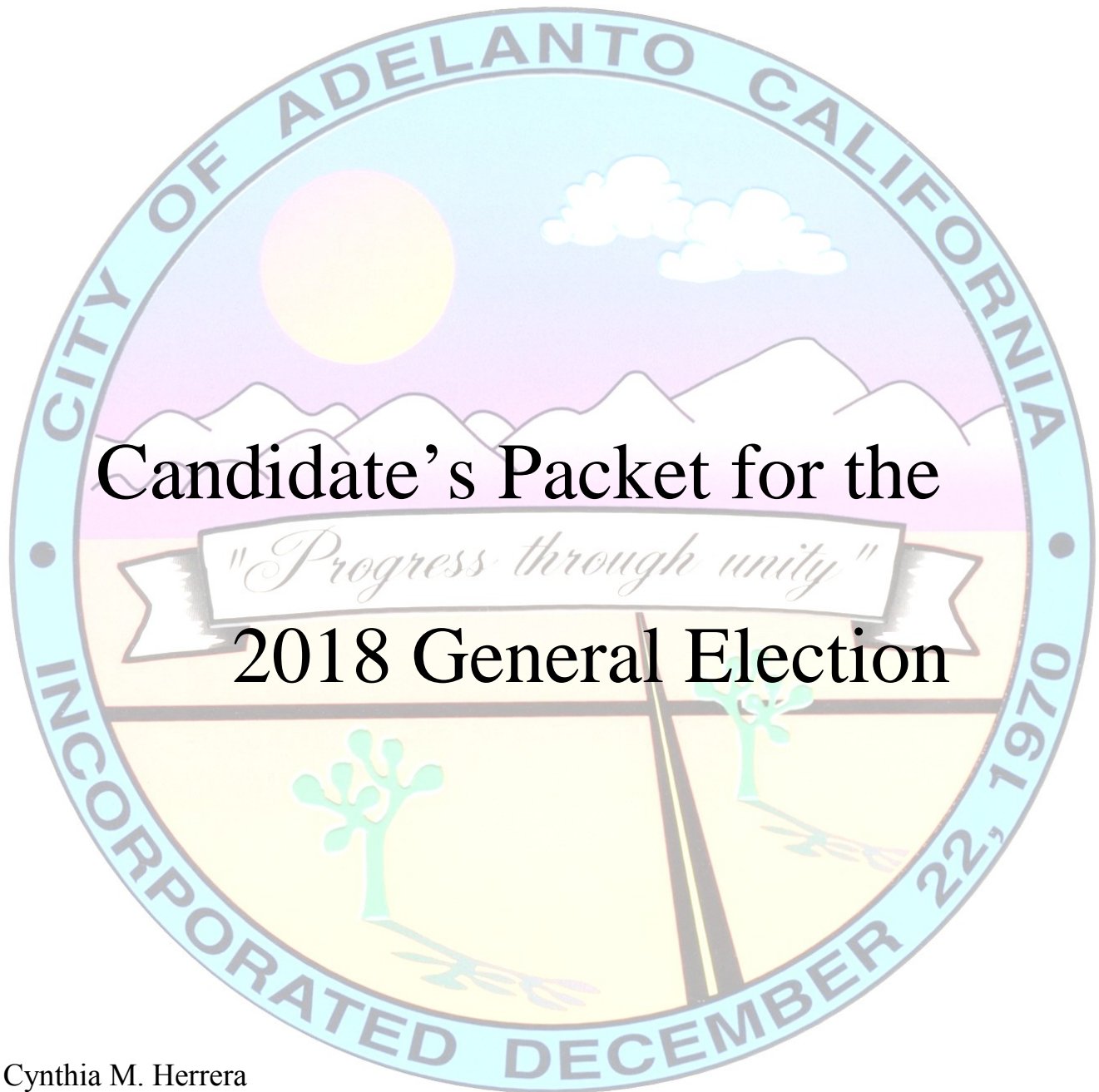


# CITY OF ADELANTO

Office of the City Clerk



## Candidate's Packet for the

*"Progress through unity"*

## 2018 General Election

Cynthia M. Herrera  
City Clerk, City of Adelanto  
11600 Air Expressway  
Adelanto, CA 92301

**City Clerk Office Staff:**  
Brenda Lopez, Deputy City Clerk

Phone: (760) 246-2300 ext. 11122  
Fax: (442) 249-1121  
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[www.ci.adelanto.ca.us](http://www.ci.adelanto.ca.us)

**Regular Office Hours:**  
Open 7 a.m. to 6 p.m. Monday through Thursday  
Closed every Friday, and  
Closed daily between noon and 1 p.m. for lunch

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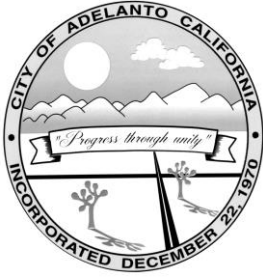
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# City of Adelanto Disclaimer/Notice

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OFFICE OF THE  
CITY CLERK

PH. (760) 246-2300 ext. 11122 or 11123  
FAX (442) 249-1121

THIS CANDIDATE HANDBOOK IS PROVIDED WITH THE UNDERSTANDING THAT THE CITY CLERK IS NOT ENGAGED IN RENDERING LEGAL, ACCOUNTING, OR OTHER PROFESSIONAL SERVICE.

THE ENCLOSED MATERIALS ARE SUPPLIED IN AN EFFORT TO ACCOMMODATE THOSE PARTIES INTENDING TO BECOME CANDIDATES FOR ADELANTO MUNICIPAL OFFICE.

ALL PERSONS DESIRING TO BECOME A CANDIDATE ARE ENCOURAGED TO REFER TO CONSTITUTIONAL, STATUTORY, REGULATORY AND CITY CODE PROVISIONS THAT MAY APPLY TO ELECTIONS AND CANDIDATES.



# City of Adelanto

Adelanto Governmental Center

11600 AIR EXPRESSWAY  
ADELANTO, CALIFORNIA 92301  
cherrera@ci.adelanto.ca.us

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OFFICE OF THE  
CITY CLERK

PH. (760) 246-2300  
FAX (442) 249-1121

July 16, 2018

Dear Candidate:

Congratulations on your decision to run for elected public office and your desire to serve the citizens of the City of Adelanto.

This candidate's packet has been prepared to help guide you through the election process. In support of GOING GREEN we have provided a Thumbdrive and have made the Candidates Handbook available on the City Website [www.ci.adelanto.ca.us](http://www.ci.adelanto.ca.us). The Candidate's Handbook contains instructions, campaign form links from FPPC to download, statement of economic interests form, candidate statement information, and various other information you will need as a candidate for City Council. This handbook has been prepared to assist Candidates in the election process by providing guidance only. It is not intended to provide legal advice. Candidates and others using this book must bear full responsibility for making their own determinations as to legal standards, duties, and factual material.

FPPC will have a Candidate/Treasurer Workshop Webinar T.B.A on their website. There is a video available regarding Candidate Treasurer Committees by following the link <http://www.fppc.ca.gov/learn/training-and-outreach/candidates-treasurers-committees.html>. This workshop helps the candidate to avoid some of the pitfalls and problems of a campaign.

It is imperative to thoroughly review all information in order to be aware of the responsibilities of a candidate for public office.

Your nomination paper, ballot designation worksheet, Candidate's Statement of Qualifications, payment of fees, Code of Fair Campaign Practices form, Political Sign Notification Sheet, and required FPPC forms must be filed together, in my office, before the close of the filing period on **Friday, August 10 2018, by 12:00 p.m.**, or if extension of nomination period then to **August 15, 2018**, by close of business day.

If I can be of further assistance during the nomination period, please feel free to contact me at ext. 11122 or my elections staff: Deputy City Clerk, Brenda Lopez, CMC at ext. 11123.

Sincerely,

Cynthia M. Herrera  
City Clerk, MMC

# Candidate Qualifications/Compensation & About City Government

## Candidate Qualifications

A person is eligible to hold office if he/she is a United States citizen, 18 years of age or older, and is a registered voter residing within the City of Adelanto city limits and shall have been a bona fide resident of the City for at least thirty (30) days next preceding the date of the election. A Candidate may not have been convicted of designated crimes specified in the Constitution and Laws of the State.

The above qualifications will be verified through San Bernardino County voter registration files prior to the issuance of a nomination package. Elector and resident status must be maintained during the term of office.

## Elected Officials Compensation (Ord. 469)

Members receive \$600.00 a month with an optional medical benefit package.

The Mayor receives \$660.00 a month with an optional medical benefit package.

## About City Government

The City of Adelanto was incorporated in 1970. In 1992, Adelanto City Voters adopted a City Charter (municipal constitution) and a City Council-City Manager form of government, which is still used today.

The City Council consists of an elected Mayor and four elected Council Members serving four year terms. The City has no term limits. Each Council Member must reside in the City. Elections are staggered, and held in even numbered years.

Measure D (To elect the Mayor for a 4-yr. term) was approved by the City voters on November 2, 2004, which provides for an elected Mayor to serve a 4-year term.

Measure U (Creating the office of an elected Mayor for a 2-yr. term) was approved by the City voters on November 5, 2002, which provides for an elected Mayor to serve a 2 year term.

## Being a Member of the City Council

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## In General

Each City Council Member represents the City at large, there are no districts, and serve as a liaison between the residents, businesses, and City staff. The Council meets at least once per year to develop the City's strategic goals. The City Council also represents the City on the following agencies: Adelanto Public Financing Authority, Adelanto Public Utility Authority, and Adelanto Community Benefit Corporation.

## Meetings

The City Council holds "regular" public meetings every second and fourth Wednesday, at 7:00 p.m. in the City Council Chambers on the first floor of City Hall. Preceding each Council Meeting, there is a Closed Session held at 6:00 p.m. Special, Adjourned, Workshops, and Emergency Meetings may be held as needed.

Special Meetings of the City Council may be called at any time by the Mayor or three members of the City Council by written notice to each member of the City Council.

Agenda materials are in the form of an electronic agenda packet, which the City Clerk's Office produces for the City Council, and makes it available in a Dropbox link it is also published on the City's website [www.ci.adelanto.ca.us](http://www.ci.adelanto.ca.us) for access by the public from any internet location. A hardcopy is also provided at the reception's counter 72 hrs. before the meeting.

## Duties

The Council establishes City policies, ordinances, and land uses; approves the City's annual budget, contracts, and agreements; hears appeals of decisions made by city staff or citizen advisory groups; and appoints a representative to the Parks & Recreation Commission and Planning Commission.

## Other Activities of the City Council

Members of the City Council may also serve as the City's representative on advisory boards, committees, agencies, or organizations such as (not all inclusive):

SBCTA

City Select Committee

High Desert Corridor JPA

Victor Valley Transit Authority

Adelanto Community Resource Center

Adelanto Youth Accountability Board

San Bernardino County Solid Waste Mgmt. Division

Mojave Desert Air Quality Mgmt. District – Emission Reductions Committee

League of Calif. Cities Desert Mountain Division

High Desert Opportunity

Mojave Desert Air Quality Mgmt District – Governing Board

Mojave Desert and Mountain Integrated Waste JPA

VVEDA



## **About Adelanto's Form of Government**

### **→ What is the Council/Manager form of local government?**

The Council/Manager form is the system of local government which combines the strong political leadership of elected officials in the form of the City Council with the strong managerial experience of the City Manager.

### **→ What is the purpose of the Council/Manager form of local government?**

The Council/Manager form of local government is intended to provide the City Council with the power to govern a community and the City Manager with the authority to carry out the Council's programs.

### **→ What is the difference between the Council and the Manager?**

Adelanto is a California municipal corporation. The City Council is the community's legislative body and is similar to the Board of Directors of a private or public corporation. It provides direction on business matters, sets policy, and adopts the annual budget. It hires the Manager and supervises his performance. The Manager serves as the City Council's chief advisor, prepares the budget, oversees the staff, and acts to carry out the City Council's programs.

Because the City Council is the legislative body, its members are the community's decision makers. The Manager is hired to serve at the pleasure of the City Council as its full-time executive whose job is to administer the staff, projects, and programs on behalf of the City Council.

### **→ What is the role of the Mayor?**

The Mayor represents the City at community functions, maintains liaison with other governmental agencies, and serves as the presiding officer at City Council meetings. The Mayor is an elected person and the City Council selects a Mayor Pro Tempore to act for the Mayor when he/she is not available.



→ **How is the City policy formulated and established under the Council/Manager plan?**

The City Council retains the sole power of being the policy maker and legislative body for the City. However, both the City Council and Manager have responsibility for initiating consideration of new policies. The Manager routinely prepares policy alternatives and recommendations for consideration by the City Council. The City Council may adopt, reject, or modify the recommendations. The Manager is bound by whatever action the City Council takes and is responsible for implementation of City Council-approved policy.

→ **How are the City Council meeting agendas developed?**

The City Council meets the second and fourth Wednesday's of the month to consider and act on City business. The agenda is assembled by the City Clerk's Department with items submitted from the City Council, City Manager, City Attorney, and City Departments. An iPad is issued to each Council Member to access the meeting packet.

→ **Who appoints City Commission members?**

The City Council appoints all members of official City Boards and Commissions. Currently, the City has a Parks and Recreation Commission and Planning Commission.

→ **Who appoints the City Manager and City Attorney?**

The City Council is responsible for appointing the City Manager and City Attorney.

→ **How is the City budget created?**

The City Manager has responsibility for preparation of the proposed annual budget for the City. The City Council is responsible for reviewing the document and making those policy choices that ensure that the budget fits the needs of the community. After adoption by the City Council, the Manager implements and administers the budget. A copy of the budget can be reviewed at City Hall, please see the Finance Department.

**→ Who supervises the day-to-day activities of the City staff?**

The City Manager exercises general supervision and provides direction to the City staff. City Department Heads report to the City Manager. The City Council deals with the administration of the City through the City Manager.

**→ Does the Manager participate in local politics?**

The City Manager refrains from participation in the election of the City Council and from those partisan activities which would impair his/her performance as a professional administrator.

# Questions Frequently Asked by Candidates

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## **Is there a filing fee involved in my candidacy?**

There is a filing fee of twenty-five dollars (\$25.00) established for processing a candidate's nomination papers required to run for municipal office.

## **What if I change my mind about being a candidate after filing nomination papers?**

You may withdraw as a candidate at any time PRIOR to the close of the nomination period, which is August 10, 2018, by close of business day, or August 15, 2018 by close of business day if the nomination period is extended). **Withdrawal** must be **submitted in writing** to the City Clerk's Office. You are NOT permitted to officially withdraw after that date, and your name will appear on the ballot.

## **What happens if some of the people whose signatures I obtained on my nomination papers are not registered voters or do not live within the City?**

It is important that you file your nomination papers as early as you can, because the City Clerk must certify the signatures on nomination papers. If you wait until the last day, and your sponsors' signatures, for any reason, are insufficient, you will not have qualified as a candidate. **If you file early, there will be time to check the signatures and notify you of any insufficiencies**; you may have an opportunity to circulate a supplemental nomination papers to qualify as a candidate.

## **How soon will a list of qualified candidates be available after the close of the nomination period?**

The nomination period closes on August 10, 2018, at 12:00 p.m. unless an incumbent does not file and the period is extended to August 15, 2018. A list of candidates will be prepared the next working day, and should be available for distribution by 6:00 p.m. on Monday, August 13, 2018, or on Thursday, August 16, 2018. The list will be posted on the City Hall's outdoor public display board and outside the City Clerk's Office.

## **When will the official results of the election be received and certified as correct?**

The Registrar of Voters must canvass the election and certify the results by the fourth Friday after the election. The City Clerk will present the results to the City Council for its acceptance at the City Council meeting of December 12, 2018.

## **When will the newly-elected Council Members take office?**

The oath of office will be administered on December 12, 2018 in the City Clerk's Office, call for an appointment between 7:00 a.m. – 6:00 p.m. The ceremonial swearing in will take place at the City Council Meeting of December 12, 2018.

## SUMMARY OF FORMS/DOCUMENTS

NOMINATION DOCUMENT	PURPOSE
1. Candidate's Handbook & Candidate Packet	Explains rules/requirements and has hardcopy forms, thumbdrive, etc.
2. Declaration of Candidacy (includes ballot designation and oath of allegiance)	Form that qualifies an individual to be placed on the official ballot. It must be completed and filed by the filing deadline.
3. Ballot Designation Worksheet	Each candidate who submits a ballot designation shall file a ballot designation worksheet that supports the use of that ballot designation by the candidate.
4. Candidate's Statement Form	This form is used to state the education and qualifications of the candidate. It must be filed at the time the Declaration of Candidacy is filed. Filing a statement is optional.
5. Code of Fair Campaign Practices	These are basic principles of decency, honesty, and fair play, which every candidate for public office has a moral obligation to uphold. This is a voluntary form.
6. Campaign Disclosure Filing Forms & Instructions	These forms are used to disclose campaign receipts and expenditures. Appropriate forms and instructions will be given to comply with FPPC rules on establishing accounts, reporting contributions and expenditures, etc.
7. Statement of Economic Interests	The Form 700 (SEI) must be filed by the close of the nomination period

**Fair Political Practices Commission  
Filing Schedule for  
Candidates and Controlled Committees for Local Office  
Being Voted on November 6, 2018**

<b>Deadline</b>	<b>Period</b>	<b>Form</b>	<b>Notes</b>
<b>Jul 31, 2018</b> <i>Semi-Annual</i>	* – 6/30/18	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file Form 460.</li> </ul>
<b>Within 24 Hours</b> <i>Contribution Reports</i>	8/8/18 – 11/6/18	<a href="#">497</a>	<ul style="list-style-type: none"> <li>File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>File if a contribution of \$1,000 or more in the aggregate is made to <i>another</i> candidate or measure being voted upon November 6, 2018.</li> <li>The recipient of a non-monetary contribution of \$1,000 or more must file a Form 497 within 48 hours from the time the contribution is received.</li> <li>File by personal delivery, e-mail, guaranteed overnight service, fax or online, if available.</li> </ul>
<b>Sep 27, 2018</b> <i>1<sup>st</sup> Pre-Election</i>	7/1/18 – 9/22/18	<a href="#">460</a> or <a href="#">470</a>	<ul style="list-style-type: none"> <li>Each candidate listed on the ballot must file Form 460 or Form 470 (see below).</li> </ul>
<b>Oct 25, 2018</b> <i>2<sup>nd</sup> Pre-Election</i>	9/23/18 – 10/20/18	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file Form 460.</li> <li>File by personal delivery, guaranteed overnight service or online, if available.</li> </ul>
<b>Jan 31, 2019</b> <i>Semi-Annual</i>	10/21/18 – 12/31/18	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file Form 460 unless the committee filed termination Forms 410 and 460 before December 31, 2018.</li> </ul>

**Additional Notes:**

- **\* Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **Local Ordinance:** Always check on whether additional local rules apply.
- **Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to the deadline for a Form 497 due the weekend before the election, or to any Form 496. Such reports must be filed within 24 hours regardless of the day of the week. Statements filed after the deadline are subject to a \$10 per day late fine.
- **Method of Delivery:** All paper filings may be filed by first class mail unless otherwise noted. A paper copy of a report may not be required if a local agency requires online filing pursuant to a local ordinance.
- **Form 501:** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.

## Fair Political Practices Commission

- **Form 460:** Candidates who have raised/spent \$2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent.
- **Form 470:** Candidates who do not raise or spend \$2,000 or more (or anticipate raising or spending \$2,000 or more) in 2018 and do not have an open committee may file Form 470 on or before September 27, 2018. If, later during the calendar year, a campaign committee must be opened, a Form 470 Supplement and a Form 410 must be filed.
- **After the Election:** Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See [Campaign Disclosure Manual 2](#) for additional information.
- **Public Documents:** All forms are public documents. Campaign manuals and instructional materials are available at [www.fppc.ca.gov](http://www.fppc.ca.gov). Click on Learn, then Campaign Rules.
- **Independent Expenditures:** Committees making independent expenditures totaling \$1,000 or more to support or oppose other candidates or ballot measures also file:
  - [462](#): This form must be e-mailed to the FPPC within 10 days.
  - [496](#): This form is due within 24 hours if made in the 90-day, 24-hour reporting period of the candidate's or measure's election. Refer to the applicable filing schedule. Form 496 is filed with the filing officer in the jurisdiction of the affected candidate or measure.
- Click [here](#) to view a video on basic information for candidates and committees.

## CONTACT INFORMATION

Adelanto City Clerk 11600 Air Expressway Adelanto, CA 92301	PH: (760) 246-2300 ext. 3090 FAX: 760-530-0392 E-mail: <a href="mailto:Cherrera@ci.adelanto.ca.us">Cherrera@ci.adelanto.ca.us</a>
City of Adelanto <i>Access to Adelanto City Municipal Code and City Charter</i>	Internet: <a href="http://ci.adelanto.ca.us/CityClerk/MunicipalCode">http://ci.adelanto.ca.us/CityClerk/MunicipalCode</a>
San Bernardino County Registrar of Voters 777 East Rialto Avenue San Bernardino, CA 92415-0770	1-909-387-8300 FAX: 909-387-2022 Leslie Yeun (Exec. Sec. ) 909-387-2083
Fair Political Practice Commission 428 J Street, Ste. 450 P.O. Box 807 Sacramento, CA 95812-0807	Technical Assistance Division (916) 322-5660 or 866-ASK-FPPC (toll free) Website: <a href="http://www.fppc.ca.gov">www.fppc.ca.gov</a>
Secretary of State 1500 11 <sup>th</sup> Street, Room 495 P.O. Box 1467 Sacramento, CA 95812-1467	Political Reform Division: (916) 653-6224 FAX: (916) 653-5045
State Attorney General Brown Act Requirements	PH: (800) 952-5225 Internet: <a href="http://www.caag.state.ca.us">http://www.caag.state.ca.us</a> E-mail: <a href="mailto:PIU@DOJ.ca.gov">PIU@DOJ.ca.gov</a>

# Biographical Form

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## Use of Biographical Form

As a courtesy to the public, news media and the City, a candidate may submit a biographical form (in a form provided by the Clerk) disclosing personal information about his/her background, family, education, memberships and hobbies. **Alternate formats or supplemental information will not be accepted.**

If the candidate elects to submit this form, it must be filed on the filing deadline for nomination documents. Submission of this form is optional. (Enclosed is biographical form)

## Information is a Public Record

If you choose to submit the Biographical Form, it will be used to provide information over the phone and will be posted on the Internet. As this information is a public record and will be duplicated at the request of any interested party, candidates are encouraged to provide legible, accurate and verifiable information.

## Internet Posting

In addition to the biographical data, the candidate may choose to have a digital photograph for posting on the City Website. The City Clerk's office will have a staging area to take a portrait shot for the candidate for a fee of \$13.00 and they will receive a 4 x 6 print.

In order to post the candidate information on the Internet in a timely manner, and to provide each candidate with the same opportunity to develop the information, the biographical form and digital photograph must be submitted at the time nomination documents are filed. Forms and photographs will not be accepted after the filing deadline.

Please note, that the City Clerk's Office will not link the Internet biographical page to a candidate's personal or campaign web site.



# Biographical Form

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Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_ Name of Spouse: \_\_\_\_\_

Names and Ages of Children: \_\_\_\_\_

Years of Residency in City: \_\_\_\_\_ Formerly of: \_\_\_\_\_

Occupation: \_\_\_\_\_

Education & Training: \_\_\_\_\_

Service Record: \_\_\_\_\_

Membership and Offices Held in Civic, Religious, Fraternal or Technical Associations:

Hobbies: \_\_\_\_\_

Campaign Manager/Treasurer Name: \_\_\_\_\_

Campaign Phone #: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Home Phone #: \_\_\_\_\_ Business Phone #: \_\_\_\_\_

Cell Phone #: \_\_\_\_\_

I authorize the City to post the information above on the Internet and release it to the public in connection with my candidacy:

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

**- THIS DOCUMENT IS PUBLIC INFORMATION -**

# General Notes to Candidates

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## CANDIDATES MUST PERSONALLY FILE THEIR PAPERS FOR THE FOLLOWING REASONS:

- a. The candidate must take the Oath of Affirmation, administered by the City Clerk or her Deputy.
- b. The candidate's signature is required on many documents involved in the election process.
- c. If through an oversight the nomination papers are incomplete, the problem can easily be rectified when the candidate files in person.

Since there are a number of instructions to review and documents to complete, it is strongly recommended that candidates make appointments with the City Clerk (760) 246-2300 ext. 11123 to file paperwork at the Office of the City Clerk, City Hall, 11600 Air Expressway, Adelanto. Please allow a minimum of 45 minutes to 1 hour to file nomination papers.

You are considered a candidate when your nomination documents have been filed and verified.

### Ballot order of Candidates

The drawing of the letters of the alphabet for order of candidates' names on the ballot will be done by the Secretary of State on **August 16, 2018**. We will notify the candidates of the ballot order.

### Withdrawal of Candidacy/Candidate Statement

Candidates may withdraw their Nomination until the close of the nomination period August 10, 2018, by close of business day, or if extension of nomination period then to August 15, 2018, by close of business day. The \$25 filing fee is not refundable.

Candidates may withdraw their candidate statements August 13, 2018, by close of business day, unless there is an extension of the nomination period then August 16, 2018, by close of business day. Withdrawal of candidate statements must be in writing to the City Clerk. A refund of the estimated cost for printing the statement will be made within 30 days of the election.

**NOTE:** Once a statement is withdrawn, it cannot be filed again.

The fee paid for the estimated cost of printing the Candidate's Statement will be reimbursed if the candidate withdraws no later than the above date and time.

A candidate is not permitted to withdraw his/her nomination after close of business on August 13, 2018, or if extension of nomination period then August 15, 2018, by close of business day and the candidate's name will appear on the ballot.

# Process for Filing Nomination Papers

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## Nomination Period

The nomination period for obtaining and submitting candidacy documents for one Mayor position, and two City Council positions is Monday, July 16, 2018, through Friday, August 10, 2018 by 12:00 p.m.

Time extension: If an incumbent fails to file then the candidates shall have from 7:00 a.m. until close of business day on Wednesday, August 15, 2018

## Nomination Papers

Pick up the candidate packet from the City Clerk's office it will have your nomination petition paper and other documents.

It is recommended that you submit your nomination petition paper to the City Clerk's Office well in advance of the deadline in case it is determined that you do not have the required minimum valid signatures, thus allowing you sufficient time to remedy the situation before the filing deadline. **(See attached example of Nomination Petition document.)**

- ✓ A candidate for a City Council position shall obtain the valid signatures of not less than 20 nor more than 30 registered voters of the City.

Only the signatures of persons registered to vote within the City of Adelanto will be valid to sign or circulate City Council nomination papers. A person registered to vote within the City of Adelanto may sign up to two nomination papers of City Council candidates, one for each of the two seats to be filled. **Only one person may circulate the nomination paper.** A candidate may either circulate his/her own nomination paper or may appoint another person to act as a circulator. The Declaration of Circulator and Affidavit of Nominee must be completed before submitting the nomination paper to the City Clerk's Office.

Circulators are required to execute a sworn statement that all the signatures they obtained in the nomination paper were made in their presence. After the circulator signs the sworn statement (**on last page of nomination paper**) as to the validity of the signatures, the candidate should complete and file the nomination paper along with the other required documents with the City Clerk.

Once a nomination paper is filed with the City Clerk's Office, the nomination paper may not be returned to the candidate to obtain additional signatures. If the nomination paper is determined to be insufficient or the candidate fails to obtain the correct number of valid signatures on his or her nomination paper, the election official shall retain the original nomination paper, provide a copy of the nomination paper to the candidate with an indication of which signatures are valid, and issue one supplemental petition to the

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## Process for Filing Nomination Papers – Pg. 2

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candidate on which the candidate may collect additional signatures. The supplemental petition shall be filed not later than the last day for filing for City Council. The form of the supplemental petition shall be the same as the nomination paper, except that the word “Supplemental” shall be inserted above the phrase “Nomination Paper.”

- There is one vacancy for Mayor, and two vacancies for Member of the City Council, therefore, a registered voter may nominate up to two individuals for the City Council office. If a registered voter signs more than three nomination papers for vacancy of City Council, the voter’s signature shall only count on the first two nomination papers filed with the City Clerk.

Once the minimum requisite number of signatures has been verified, the verification process ceases. The City Clerk will notify the candidate of the verification results.

### List of Candidates

A list of qualified candidates will be available the next working day after the close of the nomination period on August 13, 2018, or if there is an extension then August 15, 2018, for distribution by close of business day.

# NOMINATION PAPER

OFFICIAL FILING FORM
City Clerk or Deputy City Clerk
Date

We, the undersigned voters, hereby nominate \_\_\_\_\_  
 for the office of \_\_\_\_\_  
 for the City of \_\_\_\_\_  
 to be voted for at the \_\_\_\_\_  
 to be held on Tuesday, \_\_\_\_\_

	Sign Name	Residence Address	For Official Use
1	_____ Print Name	_____	
2	_____ Print Name	_____	
3	_____ Print Name	_____	
4	_____ Print Name	_____	
5	_____ Print Name	_____	
6	_____ Print Name	_____	
7	_____ Print Name	_____	
8	_____ Print Name	_____	
9	_____ Print Name	_____	
10	_____ Print Name	_____	

NOT AN OFFICIAL FORM

Public access to this document shall be limited to viewing the document only. The election official may not copy or distribute copies of documents that contain signatures of voters. (E.C. Section 17100)

A candidate shall not file nomination papers for more than one municipal office or term of office for the same municipality in the same election. (E.C. 10220.5)

	Sign Name	Residence Address	For Official Use
11	----- Print Name		
12	----- Print Name		
13	----- Print Name		
14	----- Print Name		
15	----- Print Name		
16	----- Print Name		
17	----- Print Name		
18	----- Print Name		
19	----- Print Name		
20	----- Print Name		
21	----- Print Name		
22	----- Print Name		
23	----- Print Name		
24	----- Print Name		
25	----- Print Name		
26	----- Print Name		
27	----- Print Name		

**NOT AN OFFICIAL FORM**

<b>28</b>	Sign Name	Residence Address	For Official Use
	Print Name		
<b>29</b>	Sign Name	Residence Address	
	Print Name		
<b>30</b>	Sign Name	Residence Address	
	Print Name		

**DECLARATION OF CIRCULATOR**

(page)

(Only 1 person 18 years of age or older may circulate a municipal nomination paper, per Elections Code Sections 104, 10220, 10222)

**NOT AN OFFICIAL FORM**

**AFFIDAVIT OF NOMINEE AND OATH OR AFFIRMATION OF ALLEGIANCE**  
(on next page)

(A candidate may sign his or her own nomination paper)

**CANDIDATE'S PERSONAL INFORMATION**

..... Candidate's name	..... Day Phone
..... Candidate's Residence Address	..... Evening Phone
..... Mailing Address (if different than above)	..... Fax
..... City                                  State                                  Zip	..... Email Address

# DECLARATION OF CIRCULATOR

Any person that is 18 years of age or older may circulate a nomination paper. (Only 1 circulator may circulate this nomination paper).  
 (Do NOT type this section. It **MUST** be filled out in your own handwriting.)

I, \_\_\_\_\_, solemnly swear (or affirm) all of the following:  
 \_\_\_\_\_  
 (print name)

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is \_\_\_\_\_, (if no street or number exists, a designation of my residence adequate to readily ascertain its location is \_\_\_\_\_)
3. That the signatures on this nomination paper were obtained between the dates of \_\_\_\_\_ and \_\_\_\_\_; that I circulated this petition and I saw the signatures on this section of the nomination papers being written; and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed by me at \_\_\_\_\_, on \_\_\_\_\_.  
 \_\_\_\_\_ (place) \_\_\_\_\_ (date)  
 (Election Code §§ 102, 104, 10220, 10222, 10226) \_\_\_\_\_ (Signature of Circulator)

# AFFIDAVIT OF NOMINEE AND OATH OR AFFIRMATION OF ALLEGIANCE

State of California }  
 County of \_\_\_\_\_ } ss.

\_\_\_\_\_  
 (Print Name of Nominee)

being duly sworn, says that he or she is the above-named nominee for the office of: \_\_\_\_\_  
 \_\_\_\_\_ (Print Name of Office)

that he or she will accept the office in the event of his or her election and that he or she desires his or her name to appear on the ballot  
 and that he or she desires the following designation to appear on the ballot under his or her name: \_\_\_\_\_  
 and that his or her residence address is: \_\_\_\_\_

**NOT AN OFFICIAL FORM**

**Name & Occupation as it will appear on Official Ballot & in Voter Pamphlet:**

vs.: \_\_\_\_\_  
 (Print Name in ALL CAPS as you want it to appear on the ballot (no title or degree is allowed before or after your name)\*\*

Male  Female (Print Designation as it will appear on the ballot)\*

\_\_\_\_\_  
 (Print residence address as provided by affiant)

I, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed by me at \_\_\_\_\_, on \_\_\_\_\_.  
 \_\_\_\_\_ (place) \_\_\_\_\_ (date)  
 (Election Code §§ 200, 10223, 10226, CA Constitution Article XX, § 3) \_\_\_\_\_ (Signature of Candidate)

## \* BALLOT DESIGNATION REQUIREMENTS

- \* At the option of the candidate, **ONLY ONE** of the following designations may be used:
1. Words designating the elective city, county, district, state or federal office which the candidate holds at the time of filing the nomination papers to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior or municipal court judge.
  2. The word "Incumbent" (*without any other word(s)*) if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or in the case of a superior or municipal court judge, was appointed to that office.
  3. No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the U.S. at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word. The use of the word "Retired" by itself or as a prefix is acceptable, but not after any other word or words (e.g. "Retired" and "Retired Army Officer" is permissible; "U.S.M.C., Retired" is not).
  4. The phrase "Appointed Incumbent" if the candidate holds office by virtue of appointment, but may not use the unmodified word "incumbent".

No candidate shall assume a designation which would mislead the voters. (Election Code 13107, 13107.5)  
 \*\* No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name. (Election Code 13106)





# Ballot Designation Worksheet

## November 6, 2018 General Election

Name of candidate: _____			
_____	_____	_____	_____
First	Middle	Last	
Office sought : _____		District: _____	Full Term <input type="checkbox"/> Short Term <input type="checkbox"/>
Current residence address: _____			
_____	_____	_____	_____
Street	City	Zip	
Mailing address (if different): _____			
_____	_____	_____	_____
Street	City	Zip	
Contact information: _____			
_____	_____	_____	_____
Residence Phone	Business Phone	Other Phone	
E-mail: _____			
Name of Attorney: _____			
Contact information: _____			
_____	_____	_____	_____
Contact Phone	E-mail		
<p>A ballot designation appears under the candidate's name on the ballot and describes that candidate's principal profession, vocation or occupation. The <i>Ballot Designation Worksheet</i> is a form that candidates use to request a ballot designation and to justify the reason for requesting that designation. There are specific rules regarding selecting a ballot designation, and these rules are outlined in Cal. Admin. Code §20710-20719 and Cal. Elec. Code. §13107. Ballot designation requirements include but are not limited to the following:</p> <ul style="list-style-type: none"><li>• A ballot designation represents a candidate's true principal profession, vocation or occupation</li><li>• A ballot designation may not be more than three words</li><li>• An elected official may use "Incumbent" or his/her full official title as the ballot designation. Official elected titles are not subject to the three word limit</li><li>• An appointed official may use "Appointed Incumbent" or his/her full official title, accompanied with the word "appointed," as the ballot designation. Official titles are not subject to the three word limit</li><li>• A ballot designation is limited to approximately 48 characters including spaces and punctuation</li></ul>			
Proposed Ballot Designation: _____			
1 <sup>st</sup> alternative: _____			
2 <sup>nd</sup> alternative: _____			
Occupation justifying Ballot Designation: _____			
Employer name or business: _____			
Dates in position: From: _____		To: _____	
Person(s) who can verify this information:			
Name: _____	Phone Number: _____		
Name: _____	Phone Number: _____		
Name: _____	Phone Number: _____		



# Ballot Designations (E.C. 13107)

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## BALLOT DESIGNATION WORKSHEET

Each candidate who submits a ballot designation shall file a ballot designation worksheet that supports the use of that ballot designation by the candidate. The candidate's ballot designation is the designation that will be printed next to your name on the ballot. (See enclosed ballot worksheet).

A ballot designation is a brief description, generally not more than three words, that candidates provide to describe themselves on the ballot. The ballot designation is found on page 4 of the Nomination Paper (petition). You will need to decide this designation when the nomination papers are filed.

Ballot designations must strictly adhere to the provisions of the California Elections Code. After the filing of nomination documents, the City Clerk will review and verify that each designation is in compliance. If a ballot designation does not adhere to the Elections Code, the candidate will be notified that the designation must be changed. The Clerk will notify the candidate by registered mail or certified mail, e-mail, return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents. If the candidate does not respond within three days of the notification, the clerk will withdraw the designation. **No ballot designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents.**

A candidate may submit a proposed ballot designation pursuant to any one of the four provisions specified in Elections Code. The candidate shall be free to select from one of the applicable four sections. The designation shall be submitted by completing a "Ballot Designation Worksheet" and **attaching verifying materials.**

## BALLOT DESIGNATION REGULATIONS

The four types of ballot designations as outlined in Elections Code are:

1. The name of the candidate's elective office;
2. The term "incumbent" as it refers to the current holder of the office;
3. The principal profession, vocation, or occupation of the candidate; or
4. The term "appointed incumbent" as it refers to appointed officers.

- **Name of Candidate's Elective Office**

In the case of candidates holding elective office, or a judicial officer, the designation shall be the elective office the candidate holds at the time of filing nomination documents. There is no word limit for designations under this category. A **copy of the candidate's official "certificate of election"** shall be attached to the Ballot Designation Worksheet as proof of elective office. Or, if a judicial officer, a copy of the **"certificate of appointment"**.

- **Term “Incumbent”**

The term “incumbent” must be used as a noun. It shall not be used in conjunction with any other words, including any accompanying adjectives or modifiers. It must stand alone, and may not be used as an adjective in any other ballot designation. A **copy of the candidate’s official “certificate of election”** shall be attached to the Ballot Designation Worksheet as proof of elective office.

- **Principal Profession, Vocation, or Occupation**

The term “*principal*” as used by the Elections Code means a substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. The term precludes any activity which does not entail a significant involvement on the part of the candidate. Involvement which is only nominal, pro forma, or titular in character does not meet the requirements of the statute. For more information, refer to “unacceptable ballot designations” below. The term “*profession*” means a field of employment requiring special education or skill and requiring specific knowledge of a particular discipline of learning or science. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual. Recognized professions generally include, but are not limited to, law, medicine, education, engineering, accountancy, and journalism. Examples of an acceptable designation of a “profession,” as defined in Elections Code, include, but are not limited to, “attorney,” “physician,” “architect,” and “teacher.”

The term “*vocation*” means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his or her livelihood and spends a major portion of his or her time. As defined, vocations may include, but are not limited to, religious ministry, child rearing, homemaking, elderly and dependent care, and engaging in trades such as carpentry, cabinetmaking, plumbing, and the like. Examples of an acceptable designation of a “vocation,” as defined in Election Code, include, but are not limited to, “minister,” “priest,” “mother,” “father,” “homemaker,” “dependent care provider,” “carpenter,” “plumber,” “electrician,” and “cabinetmaker”.

The term “*occupation*” means the employment in which one regularly engages or follows as the means of making a livelihood. Examples of an acceptable designation of an “occupation”, as defined in Elections Code, but are not limited to, “rancher,” “restaurateur,” “retail salesperson,” “manual labor,” “construction worker,” “computer manufacturing executive,” “military pilot,” “secretary,” and “police officer.”

If a candidate is licensed by the State of California to engage in a profession, vocation or occupation, the candidate is entitled to consider it his/her “principal” profession, vocation or occupation if: 1) the candidate has a current license as of the date of filing nomination documents and has complied with all applicable requirements respective of the licensure, such as payment of licensing fees; and 2) a status of the license is active at the time of filing nomination documents. A candidate may not use a ballot designation based on a license that is inactive, suspended or revoked by the issuing agency.

## Ballot Designations – Pg. 3

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A candidate may engage in multiple principal professions, vocations or occupations. Accordingly, the candidate may designate multiple principal professions, vocations or occupations. If a candidate proposes a designation of this type, the designation must be limited to three words and be separated by a slash “/”. Each principal profession, vocation or occupation must independently qualify as a principal profession, vocation or occupation. An example of an acceptable designation would be “Legislator/Rancher/Physician.”

A designation shall be limited to three words. Punctuation shall be limited to the use of a comma “,” or a slash “/”. A hyphen may be used if, and only if, the use of the hyphen is called for in the spelling of the word as it appears in a standard reference dictionary of the English language. An acronym shall be counted as one word.

All California geographical names shall be considered to be one word and shall be limited to the names of cities, counties, and states. The names of special districts and political subdivisions are not “geographical names,” as the term is used in Election Code. If the candidate desires, the geographical name may be used in the form of “City of ....,” “County of ....,” or “City and County of ....” Examples of geographical names considered to be one word include Tehama County, Los Angeles County and County of Sacramento.

In the event the candidate does not have a current principal profession, vocation or occupation at the time of filing nomination documents, the candidate may use a ballot designation consisting of principal profession, vocation or occupation which the candidate was principally engaged in during the calendar year immediately preceding the filing of nomination documents.

- **Term “Appointed Incumbent” or “Appointed”**

A candidate may propose a ballot designation consisting of the phrase “appointed incumbent” if the candidate holds an office, other than a judicial office, by virtue of appointment, and the candidate is a candidate for election to the same office. The candidate may not use the unmodified word “incumbent” or any words designating the office unmodified by the word “appointed.”

A candidate may propose a ballot designation consisting of the word “appointed” in conjunction with the elective office, if the candidate is a candidate for election to the same office or to some other office. The candidate may not use any words designating the office unmodified by the word “appointed.”

There shall be no word count limitation applicable to ballot designations under this category.

For candidates proposing the designation of “appointed incumbent”, the **candidates shall indicate the date on which he/she was appointed**. This may be confirmed by submitting a **copy of the “certificate of appointment”** with the Ballot Designation Worksheet.

### UNACCEPTABLE BALLOT DESIGNATION

Any ballot designation that is prohibited by Elections Code, is misleading, or otherwise improper will be rejected as unacceptable.

The following types of activities are distinguished from professions, vocations or occupations and are not acceptable as designations:

1. **Avocations:** An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and in addition to the candidate's principal profession, vocation or occupation. Avocations may include, but are not limited to, hobbies, social activities, volunteer work, and matters pursued as an amateur.
2. **Pro Forma Professions, Vocations and Occupations:** Pro forma professions, vocations or occupations are positions held by the candidate which consume little or none of the candidate's time and which, by their nature, are voluntary or for which the candidate is not compensated. Pro forma professions, vocations and occupations may include, but are not limited to, such pursuits as honorary peace officer, volunteer firefighter, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess and the like.
3. **Statuses:** A status is a state, condition, social position or legal relation of the candidate to another person, persons or the community as a whole. A status is generic in nature and generally fails to identify with any particular specificity the manner by which the candidate earns his or her livelihood or spends the substantial majority of his or her time. Examples of a status include, but are not limited to, philanthropist, activist, patriot, taxpayer, concerned citizen, husband, wife, and the like.

### A ballot designation shall not:

1. Be comprised of or include commercial identification information, such as a trademark, service mark, trade name, or the specific name of a business, partnership, corporation, company, foundation, or organization. Examples of an improper use of commercial identification information include, but are not limited to, "Acme Company President," "Universal Widget Inventor," "Director, Smith Foundation," "UCLA Professor," and the like.
2. Suggest an evaluation of the candidate's qualifications, honesty, integrity, leadership abilities or character. Any laudatory or derogatory adjectives which would suggest an evaluation of the candidate's qualifications shall not be permitted. Such impermissible adjectives include, but are not limited to, "outstanding," "leading," "expert," "virtuous," "eminent," "best," "exalted," "prominent," "famous," "respected," "honored," "honest," "dishonest," "corrupt," "lazy," and the like.

## Ballot Designations – Pg. 5

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3. Abbreviate the word “retired” or place it following any word or words which it modifies. Examples of impermissible designations include “Ret. Army General,” “Major USAF, Retired” and “City Attorney, Retired.”

The use of the word “retired” in a ballot designation is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation. The following will be considered by the Clerk for any designation including the word retired:

- a. Prior to retiring from his or her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than 5 years;
  - b. The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension;
  - c. The candidate has reached at least the age of 55 years;
  - d. The candidate voluntarily left his or her last professional, vocational or occupational position;
  - e. If the candidate is requesting a ballot designation indicating that he or she is a retired public official, the candidate must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office;
  - f. The candidate has not had another more recent, intervening principal profession, vocation or occupation; and,
  - g. The candidate’s retirement benefits are providing him or her with a principal source of income.
4. Use a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed or judicial office previously held by the candidate. Such impermissible words or prefixes include, but are not limited to, “Ex-,” “former,” “past,” and “erstwhile.” Examples of impermissible designations include “Former Congressman,” “Ex-Senator,” and “Former Educator.”
  5. Include the name of any political party.
  6. Include a word(s) referring to a racial, religious, or ethnic group.
  7. Expressly contains or implies any ethnic or racial slurs or ethnically or racially derogatory language.

8. If the candidate is a member of the clergy, the candidate may not make reference to his/her specific denomination. However, the candidate may use his or her clerical title as a ballot designation (e.g. "Rabbi," "Pastor," "Minister," "Priest," "Bishop," "Deacon," "Monk," "Nun," "Imam," etc.)
9. Refers to any activity prohibited by law. Unlawful activity includes any activities, conduct, professions, vocations, or occupations prohibited by state or federal law.



# Campaign Disclosure Requirements

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## CAMPAIGN REPORTING

The Act requires that all state and local elected officeholders, candidates for state and local elected offices, and their controlled committees file campaign disclosure statements at specified intervals. Failure to file appropriate statements and reports in compliance with the Act can result in substantial criminal, civil and administrative penalties. Failure to file within the prescribed deadlines can lead to late filing penalties of \$10 for each day the statement is late. Except for deadlines that fall on a Saturday, Sunday, or official state holiday, the law does not allow for extensions of filing deadlines.

Anyone may act as a committee treasurer. A candidate may serve as his or her own committee treasurer.

Candidates may start soliciting and receiving contributions for campaign expenses as soon as the candidate has filed a Form 501 and a Form 410, Statement of Organization (establishes committee). Candidate does not have to wait until the nomination period opens on July 16, 2018 to file these statements to start soliciting/receiving campaign contributions.

## CAMPAIGN DISCLOSURE MANUAL 2 – INFORMATION FOR LOCAL CANDIDATES

All candidates are required to file some level of campaign disclosure documents and/or reports. These documents are required by Government Code and provide the public with details on who contributes money or items to a candidate's campaign, and how the candidate spends that money. Disclosure requirements are very complicated. These instructions provide only basic guidelines on which forms to file and when. How to complete the various forms, establish a campaign committee, manage a campaign account, and what the Government Code requires of a candidate is fully detailed in "Campaign Disclosure Manual 2 – Information for Local Candidates". This manual is prepared by the California Fair Political Practices Commission, and is provide by accessing the FPPC website at: [http://www.fppc.ca.gov/content/dam/fppc/NS-Documents/TAD/Campaign%20Manuals/Manual\\_2/Final\\_Manual\\_2\\_Entire\\_Manual.pdf](http://www.fppc.ca.gov/content/dam/fppc/NS-Documents/TAD/Campaign%20Manuals/Manual_2/Final_Manual_2_Entire_Manual.pdf). Candidates are encouraged to thoroughly read the *Campaign Disclosure Manual 2*.

## FORM 700 –STATEMENT OF ECONOMIC INTERESTS – G.C. 87200 et. seq.

Form 700 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov)

Each candidate shall submit a Statement of Economic Interests, Form 700, (2017/2018), at the time the candidate's nomination papers are submitted to the City Clerk's Office. The Statement of Economic Interests is a public record. It may be inspected, and copies of it may be purchased, by anyone.

Candidates are required to report investments, interests in real property, and business positions held on the date of filing their declaration of candidacy. In addition, income received during the 12 months prior to the date of filing the declaration of candidacy is reportable income (including loans, gifts and travel payments). **This statement is entirely separate from campaign disclosure statements. (See attached example of Statement of Economic Interest Form 700.)**

## Campaign Disclosure Requirements – Pg. 2

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The Technical Assistance Division of the Fair Political Practices Commission (FPPC) is available to answer questions at 1-866-275-3772 or at <http://www.fppc.ca.gov>.

### Completing and Filing the Statement

Fill out the cover sheet and each schedule in which information is disclosed. The information in Sections 1, 2 and 3 of the Cover Sheet is static data, and has been filled in for you. Make sure that you've checked the appropriate boxes in Section 4, noted the number of pages attached (if applicable), and dated and signed in Section 5. Discard schedules that you did not complete. Only return the Cover Sheet and completed schedules.

Enclosed is an example of the Cover Sheet from the Statement of Economic Interest Form.

Once received, the City Clerk will make and retain a copy of the statement and forward the original to the State Fair Political Practices Commission (FPPC), which is the official filing officer.

### Future Statement Filings

If a **non-incumbent is successful**, that individual will be required to file an **“assuming” Statement of Economic Interests Form within thirty (30) days of being sworn into office.**

In addition, all office holders file new statements on an “annual” basis. These statements are due on April 1<sup>st</sup> of each year.

Office holders who are appointed to joint power authorities who have conflict of interest codes, will also be required to file “assuming” and “annual” statements with those agency filing officers.

Office holders who leave office must file a “leaving” Statement of Economic Interests Form within thirty (30) days of leaving office.

### Candidate/Treasurer Workshop Video

There is a Candidate Treasurer Workshop Webinar provided on the FPPC Website for all candidates and their treasurers can download the powerpoint presentation. Please follow the link if you would like to register <http://www.fppc.ca.gov/learn/training-and-outreach/candidates-treasurers-committees.html>.

### Getting Started

- **Establishing the Bank Account**

Candidates who anticipate soliciting or receiving contributions from others, or who anticipate spending over \$2,000 or more of personal funds in connection with the

## Campaign Disclosure Requirements – Pg. 3

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election **must** open a campaign bank account. A candidate's personal funds used to pay for the candidate's statement does not count toward the \$2,000 threshold.

Campaign contributions may not be commingled with any individual's personal funds. All contributions must be deposited in, and expenditures made from, the campaign bank account. Candidate's may not re-use (or re-designate) a prior account for a future election. A new and separate bank account is required for each election. Specific information relative to establishing Bank Accounts are found in *Campaign Disclosure Manual 2*, Chapter 4 and Chapter 9 for restrictions on the use of campaign funds.

### Campaign Forms

- **Candidate Intention Statement (Form 501)**

Form 501 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov)

All candidates must file a Form 501 **prior to** soliciting or receiving contributions, and before any campaign expenditure is made from personal funds. The only exception is when a candidate spends personal funds to pay for a candidate's statement that is submitted with the nomination documents. An example of how to complete the form is on page 4-2 of the "Campaign Disclosure Manual 2 – Information for Local Candidates."

- **Statement of Organization (Form 410)**

Form 410 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov)

All candidates that receive \$2,000 or more in contributions in a calendar year qualify as a recipient committee and must file a Form 410. The Form 410 identifies the name of the committee, the treasurer and officers, and the purpose of the committee. Candidates may not re-use (or re-designate) a prior committee for a future election. A new and separate committee is required for each election.

Within 10 days of receiving \$2,000 or more, the candidate must file an original and one copy of the Form 410 with the Secretary of State, Political Reform Division, 1500 11<sup>th</sup> Street, Room 495, Sacramento, CA 95814. The Secretary of State will issue a committee ID Number. A copy of the Form 410 **must** be filed with the Office of the City Clerk. An example of how to complete the form is in the Campaign Disclosure Manual 2 – Information for Local Candidates.

**Exceptions:** The Statement of Organization (Form 410) is not required if the candidate will not be receiving contributions from others **and** will spend less than \$2000 in a calendar year from personal funds to support his or her candidacy. Payment of a Candidate's Filing Fee or Candidate's Statement is not counted toward the \$2000 expenditure threshold. **Note:** If the candidate finds later that he/she will be spending more than \$2000 from personal funds, a campaign bank account must be opened.

- **Statement of Termination (Form 410)**

Form 410 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov)

When all financial obligations are met, the committee's account has been spent or distributed, and a candidate ceases to raise or spend funds, the committee should be terminated. An original and one copy of the Form 410 must be filed with the Secretary of State, and a copy of the Form 410 must also be filed with the Office of the City Clerk.

An example of how to complete the form is in the Campaign Disclosure Manual 2 – Information for Local Candidates.

In addition, a termination Form 460 must also be filed with the Office of the City Clerk to report the committee's activity since the close of the filing period of the previously filed statement.

- **Recipient Committee Campaign Statement (Form 460)**

Form 460 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov)

Used by a candidate or officeholder who has a controlled committee, or who has raised or spent or will raise or spend \$2,000 or more during a calendar year in connection with election to office or holding office. Also, use the Form 460 to file a pre-election statement, semi-annual statement, quarterly statement, special odd-year report, supplemental pre-election statement. File this form with the City Clerk in accordance with the deadlines established by the FPPC. See *FPPC Campaign Statement Deadlines* listed under Candidate Information in this handbook.

- **Candidate Campaign Statement Short Form (Form 470)**

Form 470 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov)

If a candidate does not anticipate raising or spending \$2,000 or more in a calendar year, the candidate may file a Form 470. Payments from the candidate's personal funds used to pay for the candidate's statement that is submitted with the nomination documents does not count toward the \$2,000 threshold. This form shall be filed with the candidate's nomination documents. An example of how to complete the form is in the Campaign Disclosure Manual 2 – Information for Local Candidates. **Note: Candidates who file the Form 470 (Short Form) do not need to fill out termination forms.**

- **Candidate Campaign Statement Form 470 Supplement**

Form 470 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov)

If a Form 470 is filed and later in the calendar year \$2,000 or more is raised or spent, the candidate's filing obligations and deadlines will change. If this occurs, a Form 470-Supplement must be filed with the City Clerk within 48 hours of reaching this threshold, and notification must also be sent to all candidates seeking the same office. The notice must be sent by guaranteed, overnight delivery, personal delivery or fax.

In addition, a Form 410 must be filed, and the candidate must begin filing detailed campaign statements using the Form 460. Refer to the Campaign Disclosure Manual 2 – Information for Local Candidates for more details.

## Campaign Disclosure Requirements – Pg. 5

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### Surplus Funds

Campaign Funds held by a non-incumbent defeated candidate or a candidate who withdraws from an election become “surplus” and the end of the semi-annual reporting period following the election. For candidates involved in the November election the end of the reporting period would be December 31, 2018.

For an elected officeholder, funds become “surplus” at the end of the semi-annual reporting period following the date the officeholder leaves office. If an incumbent is not successful in the 2018 election process, the end of the reporting period would be December 31, 2018.

After these dates, the use of the funds is restricted. To ensure the proper disposition of campaign funds individuals who fall into the noted categories must take action before the end of the applicable reporting period. Refer to the Campaign Disclosure Manual 2 – Information for Local Candidates for more details.

**COVER PAGE**

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)  
 Smith John

**1. Office, Agency, or Court**

Agency Name (Do not use acronyms)

City of Adelanto

Division, Board, Department, District, if applicable

Your Position

Council Member

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

**2. Jurisdiction of Office (Check at least one box)**

- State
- Multi-County \_\_\_\_\_
- City of Adelanto
- Judge or Court Commissioner (Statewide Jurisdiction)
- County of \_\_\_\_\_
- Other \_\_\_\_\_

**3. Type of Statement (Check at least one box)**

- Annual: The period covered is January 1, 2017, through December 31, 2017.
- Leaving Office: Date Left \_\_\_\_/\_\_\_\_/\_\_\_\_ (Check one)
- or-
- The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through December 31, 2017.
- Assuming Office: Date assumed \_\_\_\_/\_\_\_\_/\_\_\_\_
- The period covered is January 1, 2017, through the date of leaving office.
- The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through the date of leaving office.
- Candidate: Date of Election 11/6/2018 and office sought, if different than Part 1: \_\_\_\_\_

EXAMPLE  
NOT AN OFFICIAL FORM

**4. Schedule Summary (must complete) ► Total number of pages including this cover page: \_\_\_\_\_**

**Schedules attached**

- Schedule A-1 - Investments – schedule attached
- Schedule C - Income, Loans, & Business Positions – schedule attached
- Schedule A-2 - Investments – schedule attached
- Schedule D - Income – Gifts – schedule attached
- Schedule B - Real Property – schedule attached
- Schedule E - Income – Gifts – Travel Payments – schedule attached

-or-

**None - No reportable interests on any schedule**

**5. Verification**

MAILING ADDRESS	STREET	CITY	STATE	ZIP CODE
<i>(Business or Agency Address Recommended - Public Document)</i>				
11600 Air Expressway		Adelanto	CA	92308
DAYTIME TELEPHONE NUMBER		E-MAIL ADDRESS		
( 760 ) 246-2300				

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed \_\_\_\_\_  
 (month, day, year)

Signature \_\_\_\_\_  
 (File the originally signed statement with your filing official.)



# Limitations and Restrictions on Gifts, Honoraria, Travel and Loans

## *A Fact Sheet For*

- ♦ Local Elected Officers and Candidates for Local Elective Offices
- ♦ Local Officials Specified in Government Code Section 87200
- ♦ Judicial Candidates
- ♦ Designated Employees of Local Government Agencies

## California Fair Political Practices Commission

Toll-free advice line: 1 (866) ASK-FPPC

Email advice: [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)

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

April 2017

# Introduction

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The Political Reform Act<sup>1</sup> (the “Act”) imposes limits on gifts, prohibits honoraria payments, and imposes limits and other restrictions on the receipt of travel payments received by:

- Local elected officers and other local officials specified in Government Code Section 87200,<sup>2</sup> excluding judges;<sup>3</sup>
- Designated employees of local government agencies (i.e., individuals required to file statements of economic interests under a local agency’s conflict of interest code); and
- Candidates<sup>4</sup> for any of these offices or positions and judicial candidates. (Sections 89502 and 89503.)

The Act also imposes limits and other restrictions on personal loans received by certain local officials.

This fact sheet summarizes the major provisions of the Act concerning gifts, honoraria, travel, and loans. It contains highlights of the law, but does not carry the weight of law. For more information, contact the Fair Political Practices Commission at (866) 275-3772 or [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov) or visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov). Commission advice letters are available on our website. Public officials may also be subject to local restrictions on gifts, honoraria, or travel.

## Enforcement

**Failure to comply with the laws related to gifts, honoraria, loans, and travel payments may, depending on the violation, result in criminal prosecution and substantial fines, or in administrative or civil monetary penalties for as much as \$5,000 per violation or three times the amount illegally obtained. (See Sections 83116, 89520, 89521, 91000, 91004 and 91005.5.)**

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<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

<sup>2</sup> Local officials specified in Government Code Section 87200 include: members of boards of supervisors and city councils, mayors, city/county planning commissioners, city/county chief administrative officers, city/county treasurers, district attorneys, county counsels, city managers, city attorneys, court commissioners and public officials who manage public investments.

<sup>3</sup> The gift limits and honoraria ban in the Political Reform Act do not apply to a person in his or her capacity as judge. However, candidates for judicial offices are subject to the restrictions contained in the Political Reform Act. (Sections 89502 and 89503.)

<sup>4</sup> For purposes of the gift limit and honoraria prohibition, an individual becomes a “candidate” when he or she files a statement of organization (Form 410) as a controlled committee for the purpose of seeking elective office, a candidate intention statement (Form 501), or a declaration of candidacy, whichever occurs first. If an individual is an unsuccessful candidate, he or she will no longer be subject to the gift limit and honoraria prohibition when he or she has terminated his or her campaign filing obligations, or after certification of election results, whichever is earlier. (Sections 89502(b) and 89503(b).)



# Gifts

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## Limitations

Local elected officers, candidates for local elective office, local officials specified in Government Code Section 87200, and judicial candidates, may not accept gifts from any single source totaling more than \$470 in a calendar year. (Section 89503.)<sup>5</sup>

Employees of a local government agency who are designated in the agency's conflict of interest code may not accept gifts from any single source totaling more than \$470 in a calendar year if the employee is required to report receiving income or gifts from that source on his or her statement of economic interests (Form 700). (Section 89503(c).)

## What is a "Gift"?

A "gift" is any payment or other benefit that confers a *personal* benefit for which a public official does not provide payment or services of equal or greater value. A gift includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public. (Section 82028.) (See Regulation 18946 for valuation guidelines.)

Except as discussed below, a public official has "received" or "accepted" a gift when he or she has actual possession of the gift or when he or she takes any action exercising direction or control over the gift, including discarding the gift or turning it over to another person. This includes gifts that are accepted by someone else on the official's behalf and gifts made to others at the direction of the official. (Regulation 18941.)

## Gifts to Family Members

Under certain circumstances, a gift to an official's family member\* is considered a gift to the official. (Regulation 18943.) Anything given to a family member is presumed to be a gift to the official if: (1) there is no established relationship between the donor and the family member where it would generally be considered appropriate for the family member to receive the gift or; (2) the donor is someone who lobbies the official's agency, is involved in an action before the official's agency in which the official may foreseeably participate, or engages in business with the agency in which the official will foreseeably participate. (Wedding gifts are treated differently, see below.)

\*For purposes of this rule, an official's "family member" includes the official's spouse; registered domestic partner; any minor child of the official who the official can claim as a dependent for federal tax purposes; and a child of the official who is aged 18 to 23 years old, attends school, resides with the official when not attending school, and provides less than one-half of his or her own support.

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<sup>5</sup> The gift limit is adjusted biennially to reflect changes in the Consumer Price Index. For 2017-2018, the gift limit is \$470. (Section 89503; Regulation 18940.2.) Gifts from a single source aggregating to \$50 or more must be disclosed, and gifts aggregating to \$470 or more during any 12-month period may subject an official to disqualification with respect to the source. (Section 87103(e).) Designated employees should obtain a copy of their conflict of interest code from their agency. Some conflict of interest codes require very limited disclosure of income and gifts. Gifts from sources that are not required to be disclosed on the Form 700 are not subject to the \$470 gift limit but still may subject the public official to disqualification.

## Source of Gift

Under most circumstances, it is clear who the source of a gift is, but if the circumstances indicate that the gift is being provided by an intermediary, the public official must determine both the donor and the intermediary in reporting the gift. Regulation 18945 provides the rules for determining the source of the gift.

## Gifts from Multiple Sources

In determining the cumulative value of any reportable gifts, separate gifts from an individual and an entity that the individual controls must be aggregated as one source to comply with the reporting and limit requirements. For example, separate gifts from the owner of a company and from the company itself would be treated as if from one source if the owner has more than a 50 percent interest in the company, unless the making of the gift was determined by someone else in the company. In that case, the gift from the company would be aggregated with any gifts made by that determining individual. (Regulation 18945.1.)

Group gifts, where a public official receives a single gift from multiple donors (such as a retirement gift from coworkers), need not be reported unless any person contributes \$50 or more to the total cost of the gift. In that case, the public official would only report a gift from each of those persons. (Regulation 18945.2.)

## Valuing Gifts

The general rule for determining the value of a gift is to apply the fair market value at the time the gift is received. Fair market value can be determined by finding any local or Internet advertisement for the item. Special exceptions to the fair market value rule are contained in Regulations 18946.1 through 18946.5 covering admission to ticketed and invitation-only events, wedding gifts, attendance at nonprofit and political fundraisers, and air travel. (Regulation 18946.) For example, for ticketed events, the value is the face value of the ticket.

## General Gift Exceptions

Form 700 Reporting	C/I § 87100	Honoraria Ban	\$470 Gift Limit
No	No	No	No

The following payments are exceptions to the definition of gift and are not considered gifts or income.

- 1. Return or Reimbursement of Gift.** Items that are returned (unused) to the donor, or for which the public official reimburse the donor, within 30 days of receipt. (Section 82028(b)(2); Regulation 18941.)
- 2. Donation of Gift to Nonprofit Group.** Items that are donated (unused) to a non-profit, tax-exempt (501(c)(3)) organization in which the official (or immediate family member) does not hold a position, or to a government agency, within 30 days of receipt without claiming a deduction for tax purposes. (Section 82028(b)(2); Regulation 18941.)
- 3. Gifts from Family.** Gifts from the public official's spouse (or former spouse), child, parent, grandparent, grandchild, brother, sister, current or former parent-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin or the spouse of any such person, unless he or she is acting as an agent or intermediary for another person who is the true source of the gift. (Section 82028(b)(3); Regulation 18942(a)(3).) This exception includes great grandparents, great uncles and aunts, great nieces and nephews, and first cousins once removed.
- 4. Informational Material.** Informational material provided to assist the public official in the performance of his or her official duties, including books, reports, pamphlets, calendars, periodicals, videotapes, or free admission or discounts to informational conferences or seminars.

“Informational material” may also include scale models, pictorial representations, maps, and other such items. However, if the item’s fair market value is more than \$470, the public official has the burden of demonstrating that the item is informational. In addition, on-site demonstrations, tours, or inspections, including air flights over an area that is the subject of the information and designed specifically for public officials, are considered informational material. However, this exception does not apply to meals or lodging. Furthermore, the exception generally does not apply to transportation to the site, except for any portion of the transportation that is not commercially available. (Section 82028(b)(1); Regulations 18942(a)(1) and 18942.1.)

5. **Inheritance.** A devise or inheritance. (Section 82028(b)(5); Regulation 18942(a)(5).)

6. **Campaign Contributions.** Campaign contributions to an official, including rebates or discounts received in connection with campaign activities (Section 82028(b)(4); Regulations 18942(a)(4), 18950(a) and 18950.3(a)) and permissible expenditures of campaign funds for campaign-related expenses, including payments for transportation, lodging or food (Regulations 18950(a) and 18950.3(b)), provided they comply and are properly reported in accordance with applicable campaign finance laws.

7. **Plaques.** Personalized plaques and trophies with an individual value of less than \$250. (Section 82028(b)(6); Regulation 18942(a)(6).)

8. **Ceremonial Role.** Free admission to a ticketed event (including any benefits included in the price of the ticket such as a free meal) for the official and one guest at an event where the official performs a ceremonial role, such as throwing out the first pitch at a Dodgers’ game, so long as the official’s agency complies with the posting provisions set forth in Regulation 18944.1(d). (Regulation 18942(a)(13); Regulation 18942.3; also see discussion of Form 802 below under “Gifts Exceptions Requiring Alternate Reporting.”)

9. **Event Where Official Makes a Speech.** Free admission, and food and nominal items (such as a pen, pencil, mouse pad, note pad or similar item) available to all attendees, at the event at which the official makes a speech (as defined in Regulation 18950(b)(2)), so long as the admission is provided by the person who organizes the event. (Regulation 18942(a)(11).)

10. **Attending Wedding Reception.** Benefits received as a guest attending a wedding reception where the benefits are the same as those received by the other guests at the reception. (Regulation 18942(a)(15).)

11. **Bereavement Offerings.** Bereavement offerings, such as flowers at a funeral received in memory of a close family member. (Regulation 18942(a)(16).)

12. **Acts of Neighborliness.** Benefits received as an act of neighborliness such as the loan of an item, an occasional ride, or help with a repair where the act is consistent with polite behavior in a civilized society and would not normally be part of an economic transaction between like participants under similar circumstances. (Regulation 18942(a)(17).)

13. **Campaign or Nonprofit Fundraiser.** Two tickets for admission, for use by only the official and one guest, to attend a fundraiser for a campaign committee or candidate, or to a fundraiser for an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The ticket(s) must be received from the organization or committee holding the fundraiser. (Regulation 18946.4.)

14. **Unused Passes or Tickets.** Passes or tickets that provide admission or access to facilities, goods, services, or other benefits (either on a one-time or repeated basis) that the public official does not use and do not give to another person. (Regulation 18946.1.)

15. **Items Provided to Government Agency.** Subject to certain conditions, items provided to a government agency and used by public officials in the agency for agency business. This may include

passes or tickets to (see Regulation 18944.1) or payments for other types of items or activities (see Regulation 18944). An agency must disclose specified payments on a form provided by the FPPC and post the form on its website. (See discussion of Forms 801 and 802 below under “Gift Exceptions Requiring Alternate Reporting.”) Contact the FPPC for detailed information.

**16. Emergency Leave Credits.** Leave credits (e.g., sick leave or vacation credits) received under a bona fide catastrophic or emergency leave program established by the public official’s employer and available to all employees in the same job classification or position. Donations of cash are gifts and are subject to limits and disclosure. (Regulation 18942(a)(9).)

**17. Disaster Relief.** Food, shelter, or similar assistance received in connection with a disaster relief program. The benefits must be received from a governmental agency or charity and must be available to the general public. (Regulation 18942(a)(10).)

**18. Agency Raffle.** Items awarded in an agency raffle received by the agency from an employee who is not acting as an intermediary for another donor. This exception applies when an agency holds an employee raffle and the item awarded in the raffle has been obtained with agency funds, or is otherwise an asset of the agency and not donated to the agency by a non-agency source. This exception does not apply to passes or tickets of the type described in Regulation 18944.1. (Regulation 18944.2(a) and (b).)

**19. Employee Gift Exchange.** Items received by an employee during an employee gift exchange, so long as the items received are provided by another employee of the agency and the gifts are not substantially disproportionate in value. (Regulation 18944.2(c).)

**Limited Gift Exceptions**

Form 700 Reporting	C/I § 87100	Honoraria Ban	\$470 Gift Limit
No	No	No	No

**1. Home Hospitality.** Gifts of hospitality including food, drink or occasional lodging that an official receives in an individual’s home when the individual or a member of his or her family is present. (Regulation 18942(a)(7).) For this exception to apply, the official must have a relationship, connection or association with the individual providing the in-home hospitality that is unrelated to the official’s position and the hospitality must be provided as part of that relationship. Generally, this means functions like children’s birthday parties, soccer team parties, neighborhood barbeques, etc., where other guests attend who are not part of the lobbying process. (Regulation 18942.2.)

**2. Reciprocal Holiday Gifts.** Gifts commonly exchanged between an official and another individual on holidays, birthdays, or similar occasions to the extent that the gifts exchanged are not substantially disproportionate in value. (Regulation 18942(a)(8)(A).)

**3. Reciprocal Exchanges.** Reciprocal exchanges between an official and another individual that occur on an ongoing basis so long as the total value of payments received by the official within the calendar year is not substantially disproportionate to the amount paid by the official and no single payment is \$470 or more. For example, if two people get together regularly for lunches and rotate picking up the lunch tab so that each pays approximately half the total value over the course of the calendar year, no gift need be reported. (Regulation 18942(a)(8)(B).)

**4. Dating Relationship.** Personal benefits commonly received from a dating partner. These gifts are not disclosable or limited but are subject to disqualification under the conflict of interest laws if the dating partner has certain business before the official as set forth in Regulation 18942(a)(18)(D). (Regulation 18942(a)(18)(A).)

**5. Acts of Human Compassion.** Assistance, financial or otherwise, to offset family medical or living expenses that the official can no longer meet without private assistance because of an accident, illness, employment loss, death in the family, or other unexpected calamity; or to defray expenses associated with humanitarian efforts such as the adoption of an orphaned child, so long as the source of the donation is an individual who has a prior social relationship with the official of the type where it would be common to provide such assistance, or the payment is made without regard to official status under other circumstances in which it would be common to receive community outreach. (Regulation 18942(a)(18)(B).) This exception does not apply if the person providing the benefit to the official is an individual who otherwise has business before the official as set forth in Regulation 18942(a)(18)(D).

**6. Long-Time Friend.** Benefits received from a long-time personal friend where the gift is unrelated to the official's duties. The exception does not apply if the individual providing the benefit to the official is involved in some manner with business before the official. (Regulation 18942(a)(18)(C).) This exception does not apply if the person providing the benefit to the official is an individual who otherwise has business before the official as set forth in Regulation 18942(a)(18)(D).

**7. Existing Personal Relationship.** Benefits received from an individual where it is clear that the gift was made because of an existing personal or business relationship unrelated to the official's position and there is no evidence whatsoever at the time the gift is made that the official makes or participates in the type of governmental decisions that may have a reasonably foreseeable material financial effect on the individual who would otherwise be the source of the gift. (Regulation 18942(a)(19).)

**Very Limited Gift Exception**

Reporting	C/I § 87100	Honoraria Ban	\$470 Gift Limit
Yes - ½ value as gift	Yes	No	No

**Wedding Gifts.** Wedding gifts are not subject to the \$470 gift limit. However, wedding gifts are reportable, but for purposes of valuing wedding gifts, one-half of the value of each gift is attributable to each spouse. (Regulation 18946.3.)

**Gift Exceptions Requiring Alternate Reporting**

Form 700 Reporting	C/I § 87100	Honoraria Ban	\$470 Gift Limit
Yes - As Income	Yes	No	No

**Prize or Award.** A prize or award received in a bona fide contest or competition, or game of chance. **Note: Unlike the other exceptions, payments that fall into this exception must be reported as income if valued at \$500 or more.** To qualify for this exception the contest or competition must be unrelated to the official's duties. (Regulation 18942(a)(14).)

**Agency Reports**

Reporting	C/I § 87100	Honoraria Ban	\$470 Gift Limit
Yes - On 801 or 802	No	No	No

The following exceptions are also applicable to payments made to a government agency that are used by officials in the agency under certain conditions to conduct agency business. These types of payments are not treated as gifts or income to the officials who use them, so long as the payments meet certain conditions and they are reported by the officials' agency. These reports must appear on either a Form 801 or Form 802, instead of the official reporting the items on a statement of economic interests (Form 700).

**Form 801 – Payment to Agency Report:** This form covers gifts or donations made to an agency and used by one or more officials in the agency for agency business. This may include travel payments, reimbursements, or other uses by an official, but does not cover tickets or passes providing admission to an entertainment or sporting event, which are reported on the Form 802 (discussed below). If the payment meets the requirements of Regulations 18944 or 18950.1, the agency must report it on a Form 801 and the item is not reported on the individual’s statement of economic interests (Form 700). (Regulations 18944 and 18950.1.)

**Form 802 – Agency Report of Ceremonial Role Events and Ticket/Pass Distributions:** This form covers gifts or donations made to an agency that provide tickets or passes to an agency official for admission to an entertainment or sporting event. For the ticket or pass to be exempt from reporting on the individual’s statement of economic interests (Form 700), the agency must have a written policy stating the public purpose for distribution of the tickets. The ticket or pass cannot be earmarked by the original source for use by a particular agency official and the agency must determine, in its sole discretion, which official may use the ticket or pass. (Regulation 18944.1.) The Form 802 is also used to report tickets provided for officials who perform a ceremonial role on behalf of the agency.

**Behested Payments Reports**

Reporting	C/I § 87100	Honoraria Ban	\$470 Gift Limit
Yes - Form 803 Behested Payment	No	No	No

**Behested Payments.** Generally, payments made at the behest of an official that do not confer a personal benefit on an official such as those made by a third party to co-sponsor an event, or that are principally legislative, governmental or charitable in nature, are not gifts. However, when a local elected officer is making the behest, in some cases these payments may be considered “behested payments” under Section 82015(b)(2)(B)(iii) and (b)(3) and require disclosure by that elected officer.

**Form 803 – Behested Payment Report**

- Behested payments are payments made principally for legislative, governmental, or charitable purposes. These payments are not for personal or campaign purposes. For example, a local elected official may ask a third party to contribute funds to a school in her district, or to a job fair or health fair.
- Generally, a donation will be “made at the behest” if it is requested, solicited, or suggested by the elected officer or member of the Public Utilities Commission, or otherwise made to a person in cooperation, consultation, coordination with, or at the consent of, the elected officer or PUC member. This includes payments behested on behalf of the official by his or her agent or employee.
- A behested payment does not include payments to an official from a local, state, or federal government agency for use by the official to conduct agency business. For example, free parking provided by a governmental entity to an official for agency business is not a behested payment and is not subject to reporting.
- Behested payments totaling \$5,000 or more from a single source in a calendar year must be disclosed by the official on a Form 803, which is filed with the official’s agency within 30 days of the date of the payment(s). (Section 82015; Regulation 18215.3.)

# Honoraria

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## What is an “Honorarium”?

An “honorarium” is any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. An honorarium includes gift cards or any gift of more than nominal benefit provided in connection with an activity described above. An honorarium does not include items of nominal value such as a pen, pencil, note pad, or similar item. (Section 89501; Regulation 18932.4(e).)

A “speech given” means a public address, oration, or other form of oral presentation, including participation in a panel, seminar, or debate. (Regulation 18931.1.)

An “article published” means a nonfictional written work: 1) that is produced in connection with any activity other than the practice of a bona fide business, trade, or profession; and 2) that is published in a periodical, journal, newspaper, newsletter, magazine, pamphlet, or similar publication. (Regulation 18931.2.)

“Attendance” means being present during, making an appearance at, or serving as host or master of ceremonies for any public or private conference, convention, meeting, social event, meal, or like gathering. (Regulation 18931.3.)

The Act and Commission regulations provide certain exceptions to the prohibition on honoraria. (Section 89501(b); Regulations 18932 –18933.).

## The Prohibition

Local officials specified in Section 87200 (see page 2) are prohibited from receiving any honoraria payments. Officials and employees of local agencies who file statements of economic interests (Form 700) under the agency’s conflict of interest code (“designated employees”) may not receive honoraria payments from any source if the employee would be required to report income or gifts from that source on the Form 700, as outlined in the “disclosure category” portion of the conflict of interest code. (Section 89502.)

## Honoraria Exceptions that also apply to gifts and income

1. **Returned.** An honorarium that the public official returns (unused) to the donor or the donor’s agent or intermediary within 30 days. (Section 89501(b); Regulation 18933.)
2. **Donated to General Fund.** An honorarium that is delivered to the official’s local agency within 30 days for donation to the agency’s general fund and for which the public official does not claim a deduction for income tax purposes. (Section 89501(b); Regulation 18933.)
3. **Made to Nonprofit Organization.** A payment that is not delivered to the public official but is made directly to a bona fide charitable, educational, civic, religious, or similar tax-exempt, non-profit organization. However:
  - The official may not make the donation a condition for his or her speech, article, or attendance;
  - The official may not claim the donation as a deduction for income tax purposes;
  - The official may not be identified to the non-profit organization in connection with the donation; and
  - The donation may have no reasonably foreseeable financial effect on the public official or on any member of his or her immediate family. (Regulation 18932.5.)

**4. Payment from Family Member.** A payment received from the public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person. However, a payment that would be considered an honorarium is prohibited if one of these persons is acting as an agent or intermediary for someone else. (Regulation 18932.4(b).)

**5. Payment for Performance or Book.** Payments received for a comedic, dramatic, musical, or other similar artistic performance, and payments received for the publication of books, plays, or screenplays. (Regulations 18931.1 and 18931.2.)

**6. Reimbursement for Travel Where Official Provides Consideration.** Reimbursements for reasonable travel expenses provided to the public official by a bona fide non-profit, tax-exempt (501(c)(3)) entity for which the public official provides equal or greater consideration. The payment would also be exempt from the definition of income under Section 82030(b)(2). (See discussion under "Travel Payments" below.)

**Honoraria Exceptions where the payment may still be considered income (or a gift, if consideration of equal or greater value is not provided by the official)**

**1. Admission to Event Where Official Gives Speech.** Free admission, and refreshments and similar non-cash nominal benefits, provided to an official during the entire event at which he or she gives a speech, participates in a panel or provides a similar service, and in-California transportation and necessary lodging and subsistence provided directly in connection with the speech, panel or service, including meals and beverages on the day of the activity. (Regulation 18932.4(e).)

**2. Earned Income from a Business.** Income earned and payments for travel made in connection with personal services rendered by the official if the services are provided in connection with a bona fide business, trade, or profession — such as teaching, practicing law, medicine, insurance, real estate, banking, or building contracting — and the services are customarily provided in connection with the business, trade, or profession. (Section 89506(d)(3) and Regulations 18950(a) and 18950.2.)

This exception does not apply if the sole or predominant activity of the business, trade, or profession is making speeches. In addition, the public official must meet certain criteria to establish that he or she is conducting or in a bona fide business, trade, or profession (such as maintenance of business records, licensure, proof of teaching position) before a payment received for personal services which may meet the definition of honorarium would be considered earned income and not an honorarium. (Section 89501(b); Regulations 18932 –18932.3.) Earned income is required to be reported. Contact the FPPC for detailed information.

**3. Travel from a Government Agency.** Travel payments provided to the public official by his or her government agency or by any state, local, or federal government agency which would be considered income and not a gift. (Section 89506(d)(2).) See discussion under "Travel Payments" below.



# Travel Payments Exceptions

Generally, when an official receives a payment (including reimbursement) for his or her travel, that payment is a reportable gift or income under the Act. The term “travel payment” includes payments, advances, or reimbursements for travel, including actual transportation, parking and related lodging and subsistence. (Section 89506(a).)

If the payment is a gift, it is also normally subject to the Act’s \$470 gift limit. If the payment is income, it may, in some cases, be an honorarium. Whether a payment is a gift or income, the official may be required to disqualify him or herself from any decision that will have a foreseeable materially financial effect on the source.

## Certain Travel Payments are not a Gift, Income or Honorarium

Reporting	C/I § 87100	Honoraria Ban	\$470 Gift Limit
No	No	No	No

The following travel payments are not a gift, income or honorarium under the Act and Commission regulations and are thus not reportable, potentially disqualifying, or subject to any of the Act’s gift limits or the honorarium ban.

- 1. Travel from a Non-Reportable Source.** A payment for travel from a source that is not reportable on the official’s statement of economic interests (Form 700) based on the provisions of the conflict of interest code of the official’s agency.
- 2. Travel from Government Agency for Training.** A payment for travel from another local, state, or federal government agency and related per diem expenses when the travel is for education, training or other inter-agency programs or purposes. (Regulation 18950(a) and (c)(2).)
- 3. Sharing a Ride with Another Official.** A payment for travel provided to the official in a vehicle or aircraft owned by another official or agency when each official is traveling to or from the same location for an event as a representative of their respective offices. (Regulation 18950(a) and (c)(3).)
- 4. Certain Travel from a Government Agency or 501(c)(3).** Travel payments provided to the official by any state, local, or federal government agency as part of the official’s employment with that agency or provided to the official by a bona fide non-profit, tax-exempt (501(c)(3)) entity for which the official provides equal or greater consideration. (Section 82030(b)(2).) Any person who claims to have provided consideration has the burden of proving that the consideration received is of equal or greater value.
- 5. Travel for Official Agency Business.** Certain payments made to an agency to cover the travel expenses of an employee who travels in the course of carrying out agency business are not gifts to the official because these payments do not provide a “personal benefit” to the official. For this exception to apply, the agency must report the payment on a Form 801 and the amount and purpose for using the payments are restricted by the provisions set forth in Regulation 18950.1.
- 6. Campaign Contribution.** A payment for travel that constitutes a campaign contribution to an official (Sections 82015, 82028(b)(4); Regulations 18215, 18942(a)(4), 18950(a) and 18950.3(a)), and permissible expenditures of campaign funds for campaign-related travel (Regulations 18950(a) and 18950.3(b)), provided they comply and are properly reported in accordance with applicable campaign finance laws.

**7. Travel Payments Fulfilling Terms of Contract.** Payments made to a governmental entity for travel expenses that are required to fulfill the terms of a contract. Neither the governmental entity nor the public official has a reporting obligation because consideration has been provided. (Section 82028; *Ratto* Advice Letter, No. I-14-057.)

**Certain Travel Payments are Reportable and may Subject the Official to Possible Conflicts of Interest, but are not Subject to the \$470 Gift Limit or Honoraria Ban of the Act.**

Reporting	C/I § 87100	Honoraria Ban	\$470 Gift Limit
Yes	Yes	No	No

**Travel for a Public Purpose Under Section 89506(a).** Any payments for actual transportation expenses and related lodging and subsistence that are made for a purpose reasonably related to: (1) A legislative or governmental purpose, or (2) An issue of state, national, or international policy so long as the travel is either

(a) *Travel for Speech.* In connection with a speech given by the official and the lodging and subsistence expenses are limited to the day immediately proceeding, the day of, and the day immediately following the speech and the travel is within the United States, or

(b) *Travel paid for by government agency or 501(c)(3) organization.* Provided by a government agency or authority, (including a foreign government), a bona fide public or private educational institution as defined in Section 203 of the Revenue and Taxation Code, or a nonprofit organization that qualifies under Section 501(c)(3) of the Internal Revenue Code or a foreign organization that substantially satisfies the criteria of that section.

These payments are still reportable on the Form 700 and may create a conflict of interest issue for the official.

**Payments for Travel in Connection with a Business**

Reporting	C/I § 87100	Honoraria Ban	\$470 Gift Limit
Yes - as Income	Yes	No	No

Payments for travel made in connection with personal services rendered by the official if the services are provided in connection with a bona fide business, trade, or profession — such as teaching, practicing law, medicine, insurance, real estate, banking, or building contracting — and the services are customarily provided in connection with the business, trade, or profession. (Section 89506(d)(3) and Regulations 18950(a) and 18950.2.)

# Loans

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Personal loans received by certain local officials are subject to limits and other restrictions, and in some circumstances, a personal loan that is not being repaid or is being repaid below certain amounts may become a gift to the official who received it.

## Limitations on Loans from Agency Officials, Consultants, and Contractors

**Officials Must Not Receive Loans from Agency Staff.** If the public official is a local elected officer or an official specified in Section 87200 (see page 2), he or she may not receive a personal loan that exceeds \$250 at any given time from an officer, employee, member, or consultant of his or her government agency or an agency over which his or her agency exercises direction and control. (Section 87460(a) and (b).)

**Officials Must Not Receive Loans from Agency Contractors.** In addition, the public official may not receive a personal loan that exceeds \$250 at any given time from any individual or entity that has a contract with his or her government agency or an agency over which his or her agency exercises direction and control. This limitation does not apply to loans received from banks or other financial institutions, and retail or credit card transactions, made in the normal course of business on terms available to members of the public without regard to his or her official status. (Section 87460(c) and (d).)

## Loans to Elected Officials Must be in Writing

In addition to the limitations above, if the public official is elected, he or she may not receive a personal loan of \$500 or more unless the loan is made in writing and clearly states the terms of the loan. The loan document must include the names of the parties to the loan agreement, as well as the date, amount, interest rate, and term of the loan. The loan document must also include the date or dates when payments are due and the amount of the payments. (Section 87461.)

## The following loans are not subject to these limits and documentation requirements:

1. **Campaign Loans.** Loans received by an elected officer's or candidate's campaign committee.
2. **Loans from Family Members.** Loans received from the public official's spouse, child, parent, grandparent, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person unless he or she is acting as an agent or intermediary for another person not covered by this exemption.

## Loans as Gifts

Under the following circumstances, a personal loan received by **any** public official (elected and other officials specified in Section 87200, as well as any other local official or employee required to file statements of economic interests) may become a gift and subject to gift reporting and limitations:

1. If the loan has a defined date or dates for repayment and has not been repaid, the loan will become a gift when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, the loan will become a gift if it remains unpaid when one year has elapsed from the later of:
  - The date the loan was made;
  - The date the last payment of \$100 or more was made on the loan; or
  - The date upon which the public official have made payments aggregating to less than \$250 during the previous 12 months. (Section 87462.)

**The following loans will not become gifts:**

- A loan made to an elected officer's or candidate's campaign committee. This loan would, however, be a campaign contribution and must be reported accordingly.
- A loan described above on which the creditor has taken reasonable action to collect the balance due.
- A loan described above on which the creditor, based on reasonable business considerations, has not undertaken collection action. (However, except in a criminal action, the creditor has the burden of proving that the decision not to take collection action was based on reasonable business considerations.)
- A loan made to an official who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

# Code of Fair Campaign Practices

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## Code of Fair Campaign Practices-E.C.§20400 et. seq.

The Code of Fair Campaign Practices is a voluntary form. If you wish to subscribe to it, fill out the form (download a copy – Attachment A and submit it) include it with your nomination documents. The basis of this pledge is an acknowledgement by the candidate to uphold the basic principles of decency, honesty, and fairness in the conduct of an election campaign.

If the candidate signs and submits the Code, the candidate is pledging that he or she will follow the rules of conduct as outlined in the Code. The rules of conduct include, but are not limited to: conducting an open and public campaign; not defaming the character of any candidate; not using dishonest or unethical practices; not coercing contributions from employees; upholding the electoral process; identifying candidate and/or committee as sender of campaign advertising; and providing to the candidate's opponent and the City Clerk any campaign advertising or communication which names directly or refers to an opponent eight (8) days prior to dissemination of the advertising or communication.

All Code of Fair Campaign Practices forms filed by candidates will be available for public inspection at the City Clerk's office until 30 days after the election.

## Timing for Filing the Code

The Code is filled with, and at the same time, as nomination documents. Any candidate **who does not sign and submit the document with the filing of the nomination documents** shall be deemed **to have refused to sign the Code.**

## Code of Fair Campaign Practices

See enclosed the *Code of Fair Campaign Practices*, Division 20, Chapter 5, Elections Code – Attachment B.

Attachment A

**"CODE OF FAIR CAMPAIGN PRACTICES  
(ELECTIONS CODE § 20440)**

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

**THEREFORE:**

- (1) **I SHALL CONDUCT** my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit this criticism.
- (2) **I SHALL NOT USE OR PERMIT** the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
- (3) **I SHALL NOT USE OR PERMIT** any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.
- (4) **I SHALL NOT USE OR PERMIT** any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
- (5) **I SHALL NOT** coerce election help or campaign contributions for myself or for any other candidate from my employees.
- (6) **I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE** support deriving from any individual or group that resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics that I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) **I SHALL DEFEND AND UPHOLD** the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

\_\_\_\_\_  
Printed Name of Candidate

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Office

# **CALIFORNIA CODE OF FAIR CAMPAIGN PRACTICES**

## **(DIVISION 20, Chapter 5 Election Code.)**

### **Chapter 5.**

#### **Fair Campaign Practices**

##### **Article 1. General Intent**

###### **20400. Intent of legislature**

The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions

##### **Article 2. Definitions**

###### **20420. Definition of "Code"**

As used in this chapter, "Code" means the Code of Fair Campaign Practices

##### **Article 3. Code of Fair Campaign Practices**

###### **20440. Subscription to Code; form**

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

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

The text of the Code shall read, as follows: (See “**Code fair campaign practices**” on reverse side)

**20442. Retention of forms; public inspection**

The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

**20443. Public Record**

Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

**20444. Voluntary**

In no event shall a candidate for public office be required to subscribe to or endorse the code.



## CAMPAIGN PRACTICES

### CALIFORNIA ELECTION CODES

#### CHAPTER 1. ENDORSEMENTS OF CANDIDATES TRUTH IN ENDORSEMENTS LAW

##### Candidate Endorsements

###### **2000. Name of chapter**

This chapter shall be known and may be cited as the Truth in Endorsements Law.

###### **20001. Legislature's findings**

The Legislature hereby finds the following to be true:

(1) The major political parties have become an integral part of the American governmental system requiring regulation as to their structure, governing bodies, and functions by state government in the public interest.

(2) The Legislature has found it necessary and appropriate in the regulation of political parties to create and provide for the convening of state conventions, state central committees, and county central committees for parties qualified by law to participate in the direct primary election, by statute.

(3) Over the several years preceding the adoption of this section organizations of electors using as a part of their names the name of a political party qualified to participate in the direct primary election have endorsed candidates for nomination of that party for partisan office in the direct primary election and have publicized and promulgated the endorsements in a manner that has resulted in considerable public doubt and confusion as to whether the endorsements are those of a private group of citizens or of an official governing body of a political party.

(4) 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. Representation Requirements**

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 of this chapter, and all cases of this nature shall be in a preferred position for purposes of trial and appeal, so as to assure the speedy disposition thereof.

## **20007. Candidate Representation**

No candidate or committee in his or her behalf shall represent in connection with an election campaign, either orally or in campaign material, that the candidate has the support of a committee or organization that includes as part of its name the name or any variation upon the name of a qualified political party with which the candidate is not affiliated, together with the words "county committee," "central committee," "county," or any other term that might tend to mislead the 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.

This section shall not be construed to prevent a candidate or committee from representing that the candidate has the support of a committee or group of voters affiliated with another political party, which committee or group is identified by the name of that party, where the name of the committee or group also includes the name of the candidate.

Any member of a county central committee or state central committee may commence an action in the superior court to enjoin misrepresentation by a candidate or committee in his or her behalf, in the manner prohibited by this section, to the effect that the candidate has the support of the state or county central committee involved.

## **20008. Political Advertising**

Any paid political advertisement that refers to an election or to any candidate for state or local elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement." The words shall be set apart from any other printed matter. As used in this section "paid political advertisement" shall mean and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office.

Local jurisdictions have each established ordinances regarding political advertising and signs. Refer to the "Outdoor Political Advertising Guidelines" section in this guide for contact information for each of the city code enforcement offices in San Bernardino County to obtain further information.

### **20009. Simulation of The Ballot**

(a) Every simulated ballot or simulated sample ballot shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the statement or words or in 10-point roman type, whichever is larger, in a printed or drawn box and set apart from any other printed matter, the following statement:

"NOTICE TO VOTERS"  
"(Required by Law) "

"This is not an official ballot or an official sample ballot prepared by the county elections official or the Secretary of State."

"This is an unofficial, marked ballot prepared by \_\_\_\_ (insert name and address of the person or organization responsible for preparation thereof)."

Nothing in this section shall be construed to require this notice in any editorial or other statement appearing in a regularly published newspaper or magazine other than a paid political advertisement.

(b) No simulated ballot or simulated sample ballot referred to in subdivision (a) shall bear any official seal or the insignia of any public entity, nor shall that seal or insignia appear upon the envelope in which it is mailed or otherwise delivered.

(c) 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, or distribution of any matter in violation of this section, and all cases of this nature shall be in a preferred position for purposes of trial and appeal, so as to assure the speedy disposition thereof.

Violations will result in a court injunction. Our office is available to review proposed ballot simulations.

## **20010. No pictures of candidates in campaign material**

(a) Except as provided in subdivision (b), no person, firm, association, corporation, campaign committee, or organization may, with actual malice, produce, distribute, publish, or broadcast campaign material that contains (1) a picture or photograph of a person or persons into which the image of a candidate for public office is superimposed or (2) a picture or photograph of a candidate for public office into which the image of another person or persons is superimposed. "Campaign material" includes, but is not limited to, any printed matter, advertisement in a newspaper or other periodical, television commercial, or computer image. For purposes of this section, "actual malice" means the knowledge that the image of a person has been superimposed on a picture or photograph to create a false representation, or a reckless disregard of whether or not the image of a person has been superimposed on a picture or photograph to create a false representation.

(b) A person, firm, association, corporation, campaign committee, or organization may produce, distribute, publish, or broadcast campaign material that contains a picture or photograph prohibited by subdivision (a) only if each picture or photograph in the campaign material includes the following statement in the same point size type as the largest point size type used elsewhere in the campaign material: "This picture is not an accurate representation of fact." The statement shall be immediately adjacent to each picture or photograph prohibited by subdivision (a).

(c) (1) Any registered voter may seek a temporary restraining order and an injunction prohibiting the publication, distribution, or broadcasting of any campaign material in violation of this section. Upon filing a petition under this section, the plaintiff may obtain a temporary restraining order in accordance with Section 527 of the Code of Civil Procedure. (2) A candidate for public office whose likeness appears in a picture or photograph prohibited by subdivision (a) may bring a civil action against any person, firm, association, corporation, campaign committee, or organization that produced, distributed, published, or broadcast the picture or photograph prohibited by subdivision (a). The court may award damages in an amount equal to the cost of producing, distributing, publishing, or broadcasting the campaign material that violated this section, in addition to reasonable attorney's fees and costs.

(d) (1) This act shall not apply to a holder of a license granted pursuant to the federal Communications Act of 1934 (47 U.S.C. Sec. 151 et seq.) in the performance of the functions for which the license is granted.

(2) This act shall not apply to the publisher or an employee of a newspaper, magazine, or other periodical that is published on a regular basis for any material published in that newspaper, magazine, or other periodical. For purposes of this subdivision, a "newspaper, magazine, or other periodical that is published on a regular basis" shall not include any newspaper, magazine, or other periodical that has as its primary purpose the publication of campaign advertising or communication, as defined by Section 304.

## **Chapter 2. Political Corporations**

### **Article 1. Incorporation**

#### **20100. Candidate's consent required**

If the name of a corporation includes all or part of the name of any person, together with either (a) all or part of the title of any elective office, (b) the date (by year or otherwise) of the election for any office, or (c) any other words or figures indicating the candidacy or nomination of that person for elective office, the Secretary of State shall not accept its articles of incorporation for filing unless there is first filed with him or her a statement signed and acknowledged by that person consenting to the use of his or her name.

## **Chapter 3. Campaign Funds**

#### **20200. "Person" definition.**

As used in this article "person" includes a firm, association, corporation, campaign committee or organization.

#### **20201. Solicitation of funds**

It is unlawful for any person that includes in any part of its name the name of any political party that was qualified to participate in the last preceding primary election, to directly or indirectly solicit funds for any purpose whatsoever upon the representation either express or implied that the funds are being solicited for the use of that political party unless that person shall have previously obtained the written consent of one of the following: a member of the national committee from California or the majority of the members of the national committee if there are more than two national committee members from California, chairman of the state central committee, executive committee of the state central committee, or executive committee of the county central committee of the party whose name is being used in the county in which the solicitation is to be made. If the county central committee of the party in that county does not have an executive committee, the written consent of the chairman and secretary of that county central committee is sufficient.

All persons soliciting funds in accordance with this section shall be furnished with adequate credentials bearing the name of the solicitor and a copy of the written consent that bears the signature of the person authorizing the solicitation.

**20202. Authorization to use candidate or committee name**

It is unlawful for any person who solicits funds for the purpose of supporting or promoting any candidates or committees to include in any part of its name the name of that candidate or committee unless that person shall have previously obtained the authorization of the candidate or committee or the candidate's or committee's designated agent to use the candidate's or committee's name in the name of that person

Authorization by a candidate or committee shall not be construed as rendering the person soliciting funds a controlled committee as defined by Section 82016 of the Government Code.

**20203. Notice of nonauthorization to be included in fundraising communication**

Any person who solicits or receives contributions on behalf of any candidate or committee for the purported and exclusive use of that committee or the candidate's election campaign and who is not authorized by the candidate or committee or the candidate's or committee's designated agent to do so, shall include a notice in any fundraising communication, whether through any broadcasting station, newspaper, magazine, printed literature, direct mailing, or any other type of general public advertising, or through telephone or individual oral fundraising appeal, clearly and conspicuously stating that the person is not authorized by the candidate or committee and that the candidate or committee is not responsible for the actions of that person.

**CODE OF FAIR CAMPAIGN PRACTICES  
(ELECTION CODE SECTIONS 20400-2044)**

**Background Information**

In 1982, legislation was passed which established a "Code of Fair Practices" in California which could be voluntarily subscribed to by candidates for public office. Amendments in 1987 expanded the provisions of the code as to apply to committees formed primarily to support/oppose a ballot measure, and also reaffirmed civil liability provisions pertaining to libel and slander campaign advertising and communications. The text of the provisions of the Code of Fair campaign Practices is listed on the following pages.

## **Registrar of Voters Requirement**

The Registrar of Voters is required, at the time an individual is issued his/her Declaration of Candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, to provide the candidate a blank form on which to subscribe to the “Code of Fair Campaign Practices” and a copy of the Elections code provisions.

## **Voluntary Subscription**

Subscription to the Code is Voluntary. Completed forms are to be filed with the Registrar of Voters and shall be retained for public inspection until 30 days after the elections.

## **CHAPTER 5. FAIR CAMPAIGN PRACTICES**

### **Article 1. General Intent**

#### **20400. Intent of legislature**

The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

#### **Libel and Slander**

#### **20500.**

The provisions of Part 2 (commencing with Section 43) of Division 1 of the Civil Code, relating to libel and slander, are fully applicable to any campaign advertising or communication.

## **20501.**

(a) A candidate or state measure proponent is liable for any slander or libel committed by a committee that is controlled by that candidate or state measure proponent as defined by Section 82016 of the Government Code if the candidate or state measure proponent willfully and knowingly directs or permits the libel or slander.

(b) A person who is a sponsor of a sponsored committee, as defined by Section 82048.7 of the Government Code, is liable for any slander or libel committed by the sponsored committee if the sponsor willfully and knowingly directs or permits the libel or slander.

## **20502.**

(a) In any action for libel or slander brought by a candidate, the willingness or unwillingness of the defendant to retract or correct a communication made in the course of a campaign, and his or her action in doing so, shall be admissible in evidence in the exemplary damages phase of a bifurcated trial.

(b) The remedy provided by this section is in addition to any other remedy provided by law.

## **CHAPTER 4. Election Campaigns**

### **Article 1. General Intent**

#### **18301. Printing of simulated sample ballots**

In addition to any other penalty, any person who prints or otherwise duplicates, or causes to be printed or duplicated, a simulated ballot or simulated sample ballot that does not contain the statement required by Section 20009 or that uses an official seal or insignia in violation thereof, is guilty of a misdemeanor.

#### **18302. Distribution of precinct polling place information.**

Every person is guilty of a misdemeanor who knowingly causes to be mailed or distributed, or knowingly mails or distributes, literature to any voter that includes a designation of the voter's precinct polling place other than a precinct polling place listed for that voter in an official precinct polling list that constituted the latest official precinct polling list at sometime not more than 30 days prior to the mailing or distribution.



## **Article 5. Misrepresentation by Candidates**

### **18350. Misleading of voters; incumbency; public officer**

Every person is guilty of a misdemeanor who, with intent to mislead the voters in connection with his or her campaign for nomination or election to a public office or in connection with the campaign of another person for nomination or election to a public office, does either of the following acts:

(a) Assume, pretend, or imply, by his or her statements or conduct, that he or she is the incumbent of a public office when that is not the case.

(b) Assume, pretend, or imply, by his or her statements or conduct that he or she is or has been acting in the capacity of a public officer when that is not the case.

Any violation of this section may be enjoined in a civil action brought by any candidate for the public office involved.

# Candidate's Statement of Qualifications E.C. §13307(a)(1) & 13308

## Candidate's Statement for Official Sample Ballot

A candidate's statement contains the name, age and occupation of the candidate, and a brief description of the candidate's education and qualifications as expressed by the candidate. This statement is printed in the official sample ballot in both English and Spanish and is provided to all voters. This statement is optional.

## Candidate's Statement Agreement

The law permits nonpartisan candidates to file a candidate's statement to be mailed with the sample ballot. Filing of a statement is not mandatory, but is permissive if the candidate desires to file and pays the appropriate fee.

If a candidate's statement is not filed, a waiver to that effect on the Candidate's Statement Agreement Form must be signed and filed with the declaration of candidacy.

Candidate's statements are confidential until the filing period ends, at which time they become public information.

**The Candidate Statement Form must be filed regardless of whether or not a statement is submitted. The candidate's choice regarding whether or not a candidate's statement will be printed in the sample ballot must be indicated. The candidate must sign this form.** (Attachment C)

## Cost of Statement

If a candidate elects to submit a statement, the candidate must pay "in advance" for the cost of including the information in the official sample ballot. The cost is estimated to be to be determined. If the final cost is less than the estimate, the candidate will be refunded the difference, but if more than the estimate, the candidate will be requested to pay the remaining balance. The City Clerk's Office will accept cash or check made payable to the "City of Adelanto". **COST FOR THE CANDIDATE'S STATEMENT ARE PAID AT THE TIME THE NOMINATION PAPERS ARE FILED.**

## Content

The statement is an opportunity for the candidate to inform the voters about his/her education and qualifications.

The statement shall be prepared on a form provided by the City Clerk's Office. A paper copy must be filed with the declaration of candidacy. It should be TYPED in upper and lower case, single spaced.

The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organization. If the statement contains the name of an endorsee, the candidate must submit written approval from that individual to use his/her name in the statement. When a quote is used, the candidate must provide the original document in which the quote is used, the candidate must provide the original document in which the quote was printed or a handwritten statement from the person who was quoted.

## Candidate's Statement of Qualifications-Pg. 2

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In addition, the statement shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities.

Statement authors may be held liable for any false, slanderous, or libelous statements offered for printing or contained in the voter's pamphlet.

The City Clerk shall reject any statement which contains any obscene, vulgar, profane, scandalous, libelous or defamatory matter and any language or matter which is prohibited through the U.S. Mail.

- **THE REGISTRAR OF VOTERS OFFICE WOULD GREATLY APPRECIATE RECEIVING A ELECTRONIC COPY OF THE STATEMENT.** Please provide a hardcopy and CD or thumb drive (*with the "Candidate's Statement of Qualifications" form provided*) when filing nomination papers.

### Candidate Statement Style Guidelines:

(See enclosed format for example – Attachment A & B)

- The statement may include the name, age, and occupation of the candidate a description of no more than 200 words, of the candidate's education and qualifications as expressed by the candidate. **The statement is limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities.** The statement shall not include the party affiliation of the candidate nor membership or activity in partisan political organizations. Elections Code 13307(a)(1) and Elections Code 13308.
- The California Elections Code intends uniformity of appearance. Each statement is allowed the same amount of space in the sample ballot. All statements will be printed in uniform style and size of type, in block paragraph form (with no indentations). **Outline form is not acceptable.**
- It is acceptable for the statement to have four words in **bold** or underlined or **bold and underlined**. Four words may also be in ALL CAPITAL LETTERS or in ANY combination of bold, underlined and capitalized. The number emphasized words may not exceed the total number of four per each special characterization. Also acceptable are four standard bullets or numbered items in the statement. Please see example for visual reference.
- Statements will be typeset exactly as submitted – the Elections Office (City Clerk's Office) will not edit any material contained in the statement for spelling, punctuation, or grammar, so **candidates are therefore advised to carefully check their statements for such errors.** The Elections Office (City Clerk's Office) is authorized to make corrections only to the format of the statement, or to strike content which does not adhere to established rules.
- The elections official shall (City Clerk) shall not cause to be printed or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited by this section. Elections Code 13308.

## Candidate's Statement of Qualifications-Pg. 3

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- Only a cursory review of the candidate's statement will be done at the time of filing to ensure the statement is acceptable in word content and formatting. Corrections can be made, if necessary, by the candidate at the time of filing.

### Candidate Statement Style Guidelines:

(see enclosed format for example – Attachment A & B)

- Each statement is allowed the same amount of space in the sample ballot. Heading and the NAMES, AGE, and OCCUPATION will be printed in 9 pt. type. Body of the text will be printed in 8 pt. type. All statements will be printed in uniform size and size of type, in block paragraph form, Outline form is not acceptable.
- Graphics (pictures, lines, graphs, boxed paragraphs, etc.) and decorative characters such as arrows, stars, asterisks, bullets, and other symbols are not permitted.

### Word Count – E.C.§9

The statement is limited to 200 words or less. Once the statement is submitted, no editing will be done by the City Clerk's Office. Statements that exceed 200 words in length will be shortened by removing words from the end of the statement until the word limit is reached. It is recommended that care be taken to ensure that the word limit is not exceeded.

(This section shall not apply to counting words for ballot designations under Section 13107)

The following are the guidelines for computing word count:

**The title of the office, name, age and occupation and the signature are not included in the word count**—only the text is counted. Elections Code §9 specifies the counting of the number of words submitted on any document whose content is limited by statute. Words shall be counted as follows:

- Punctuation is not counted (free)

Each word shall be counted as one word except as specified in this section:

- All geographical names shall be considered as one word; for example, "City and County of San Francisco" shall be counted as one word. County of Riverside, and Desert Hot Springs counted as one word.
- Each abbreviation for a word, phrase or expression shall be counted as one word. For example: UCLA, U.C.L.A., PTA, USMC, U.S.M.C. counted as one word.

## Candidate's Statement of Qualifications-Pg. 4

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- Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
- Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting only of a combination of digits shall be counted as one word. For example: All digits (5/30/05) is one word. Words and digits May 30, 2005 is two words.
- Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. "One" shall be counted as one word, whereas "one hundred" shall be counted as two words. "100" shall be counted as one word.
- Monetary amounts (if the dollar sign is used with figures-\$1,000) is one word. Spelled out (one thousand dollars) is counted as one for each word.
- Website and telephone numbers shall be counted as one word.
- Internet web site addresses shall be counted as one word.
- Limit of **four** all CAP words
- The Registrar of Voters is not permitted to edit any material contained in candidate statements. Candidates are responsible for proofreading spelling, punctuation and grammar. Since the statement cannot be changed after it is submitted, **it is important** for candidates to carefully prepare and proofread their statements.

### Public Viewing Period

To view candidate statements, occupations (your own as well as other candidates), during the ten day viewing period. To take action during this time, to reduce errors and resolve differences BEFORE sample ballots are printed and distributed. California Elections Code 13313 and E.C. 9295 allows a ten day viewing period of the official voter's pamphlet prior to submittal for printing. During this 10 day period, any voter of the jurisdiction in which the election is being held, may seek a writ of mandate or an injunction requiring any or all of the material in the voter's pamphlet to be amended or deleted.

- Procedure: All candidates will be notified of the importance of viewing their own sample pamphlet content in it's typeset form. No changes to what was originally submitted will be allowed. ONLY TYPESETTING ERRORS WILL BE CORRECTED during this period. Candidates will be asked to sign-off on the proof that will be forwarded to the Registrar of Voters. After the viewing period, the Registrar of Voters office is not responsible for any typesetting errors.

## Candidate's Statement of Qualifications-Pg. 5

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**VIEWING PERIOD FOR CANDIDATE STATEMENTS & BALLOT DESIGNATIONS WITH INCUMBENT FILING: August 11, 2018 through August 20, 2018.**

**NO INCUMBENT FILING: August 16, 2018 through August 25, 2018.**

Writ of Mandate-E.C. 13313 (During viewing period)

During the 10-calendar-day public examination period provided by this section, any voter of the jurisdiction in which the election is being held, or the elections official, him/her self, may seek a writ of mandate or an injunction requiring any or all of the material in the candidates statements to be amended or deleted. The writ of mandate or injunction shall be filed no later than the end of the 10-calendar-day public examination period. (This is filed by you to the court)

Confidentiality of Statements-E.C. 13311

The statement shall remain confidential on the deadline for filing nomination documents. The deadline is August 10, 2018, until 12:00 p.m. or August 15, 2018, until close of business where the nomination period was extended because the incumbent did not file. The statement will then become a public record.

Withdrawal of Statement – E.C. 13309

The statement may be withdrawn, but not altered, on the first working day following the close of the nomination period. The statement may be withdrawn on August 13, 2018, by close of business, or August 16, 2018, by close of business if the nomination period was extended. (See Attachment D)

False Statements/Fines

The Elections Code Section 18351 provides that “Any candidate in an election...who knowingly makes a false statement of a material fact in a candidate’s statement, prepared pursuant to EC §11327 or §13307 with the intent to mislead the voters in connection with his or her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed \$1,000.”

**Once the statement has been filed, it may not be changed by the candidate, and will be subject to editing by the Elections Office (City Clerk’s Office) to bring it within content, word count, and format requirements. If any statement exceeds the word limit, the candidate must delete or change a sufficient number of words to bring the statement within the required word limit before the statement is filed. If the statement is filed without the correction or deletion by the candidate, the statement will be cut off at the 200 word limit by the Elections Office (City Clerk’s Office). Any other unacceptable content will be removed prior to printing.**

## Candidate's Statement of Qualifications-Pg. 6

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### RULES FOR COUNTING WORDS

The following guidelines are computing the count candidate Statements. The titles, occupation and age are not included in the word count, only the statement text. The Office of the Registrar of Voters will make final determination. EC § 9

TEXT	WORD COUNT
Punctuation	Free
Dictionary words ("I", "the", "and", "an", etc are counted as individual words)	One
Abbreviations/Acronyms (Examples: SBSU, PTS, U.S.M.C., S.B.P.D.)	One
Geographical name Examples: San Bernardino County of San Bernardino Victor Valley	One One Two
Numbers/Numerical Combinations/E-mail Addresses: Digits (1,10, or 100, etc) Spelled out (one, ten, or one hundred)'50%, ½, etc. Telephone numbers Internet/E-mail address (Wwwsbcrov.com/jdoe@rov.sbcounty.gov)	One One for each word One One One
Number of letter used to identify a portion of text Examples: (1), (a) will be counted as one word	One
Dates: All digits (01/01/16) Words and digits (January 1, 2016)	One Two
Characters used in place of word or number (& or #)	One
Hyphenated words that appear in any generally available dictionary, printed in the United States within the past 10 years, shall be considered as one word. Each part of all other hyphenated words Examples: Mother-in-law One-half	One Two

**If the text exceeds the word limit, the candidate must delete or change a sufficient number of words, or a sentence, to put the statement within the required word limit before the statement is filed.**

# ATTACHMENT A

## Example of Acceptable Candidate Statement Format

**CANDIDATE FOR EXAMPLE OFFICE**

**SAMPLE DISTRICT**

**NAME: PAT DOE**

**Age: 66**

**OCCUPATION:** Fortune Teller/Comedian

**FORMAT/CONTENT:** This is an example of acceptable format to be used in a candidate's statement of qualifications. The guidelines for the content of the statement are on the preceding page.

**PARAGRAPHS:** The candidate statement is printed in standard block paragraph form, which means each paragraph will start on the left and the margins will be justified (as shown in this example.). No indentations are allowed. If a list is to be printed (clubs, accomplishments, goals, etc.) it will appear as shown in the following paragraph (numbering is optional and will be counted towards word count if used).

I belong to the following organizations: PTA; Chamber of Commerce; Zoological Society; Bridge Club. If elected, I will: 1) lower taxes; 2) increase services; 3) cure the common cold; 4) be your servant.

The Registrar of Voters will make necessary modifications to make the statement conform to these guidelines as well as to fit in the apace allotted.



# ATTACHMENT B

## Examples

### UNACCEPTABLE

#### CANDIDATE FOR MEMBER OF THE STATE ASSEMBLY 99<sup>TH</sup> DISTRICT

**NAME:** John Jones

**Age:** 50

**OCCUPATION:** Businessman

As your Assemblyman, I would be proud to serve the 99<sup>th</sup> Assembly District for the next two years. I promise to use my experience to improve the quality of life for the residents of our district.

For the past four years our district's assemblyman has failed to fulfill the promises he made when elected to office. Instead of dealing with our resident's concerns and promoting our district to potential businesses, he has been pandering to the whims of his campaign financiers and party "big wigs".

It is now up to district citizens to run for office and provide a free uncompromised voice for the 99<sup>th</sup> Assembly District.

I have been a businessman in the district for 25 years, on the city council for two terms as well as a school board member between 1995-1999 for Pine Tree School District.

I have been married for 28 years and have two grown children – one a senior in college and the other in the Peace Corps.

If elected as Assembly for the 99<sup>th</sup> District I will strive to ensure public safety, provide our children with a decent education and entice businesses back to the area to increase our tax base. I feel qualified to represent our residents and the district and ask that you support me with your vote on June 3<sup>rd</sup>.

### Acceptable

#### CANDIDATE FOR MEMBER OF THE STATE ASSEMBLY 99<sup>TH</sup> DISTRICT

**NAME:** John Jones

**OCCUPATION:** Business Owner

**AGE:** 50

As your Assemblyman, I would be proud to serve the 99<sup>th</sup> Assembly District for the next two years. I promise to use my experience to improve the quality of life for the residents of our district.

I have been a businessman in the district for 25 years, on the city council for two terms as well as a school board member between 1995-1999 for Pine Tree School District.

I have been married for 28 years and have two grown Children – one a senior in college and the other in the Peace Corps.

If elected as Assembly for the 99<sup>th</sup> District I will strive to ensure public safety, provide our children with a decent education and entice businesses back to the area to increase our tax base. I feel qualified to represent our residents and the district and ask that you support me with your vote on June 3<sup>rd</sup>.



# CANDIDATE STATEMENT FORM

\_\_\_\_\_  
Print / Type name of candidate as it will appear on the ballot

\_\_\_\_\_  
Office sought

Mailing Address:

\_\_\_\_\_  
Street City Zip

Contact Information:

\_\_\_\_\_  
Day phone Evening phone Email

## I ELECT TO FILE A CANDIDATE STATEMENT

- I have been informed that the estimated cost and deposit for my candidate statement is \$\_\_\_\_\_.
- I agree that if the actual cost of the candidate statement exceeds the amount paid in advance, I will pay the additional sum to the County of San Bernardino within 30 days of the billing notification for such amount.
- I agree that if the amount billed is not paid within 30 days following such notification, and the Elections Official thereafter commences legal action against me for the recovery of said amount, I will pay all costs of such action, including costs and reasonable attorney's fees in an amount to be fixed by the court.
- I have been informed that if the amount paid in advance is more than the actual cost of the candidate statement, the Elections Official will refund the excess amount within 30 days of the election.
- I agree that any notice, refund or billing pertaining to my candidate statement shall be mailed to me at the address set forth above and shall be deemed completed upon deposit in the United States mail.
- I have been informed that State Senate and State Assembly candidates are required to accept the voluntary campaign expenditure limits on FPPC form 501 in order to have a candidate statement printed in the *San Bernardino County Voter Information Guide*.
- I have been informed that I may withdraw my candidate statement no later than 5:00 p.m. of the next working day after the close of the candidate filing (nomination) period.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Date

## I DO NOT ELECT TO FILE A CANDIDATE STATEMENT

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Date

## I HEREBY WITHDRAW MY CANDIDATE STATEMENT

- I request the County of San Bernardino to refund the deposit amount paid in advance, within 30 days of the election.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Date

## CANDIDATE STATEMENT REQUIREMENTS & OPTIONS

### **California Elections Code:**

- Cal. Elec. Code §13307 dictates that 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.
- Cal. Elec. Code §13308 requires that statements shall be limited to a recitation of the candidate's own personal background and qualifications.
- Cal. Elec. Code §13313 allows for a ten day public examination period of all statements immediately following the candidate filing deadline. During this period, the Elections Official, or any voter of the jurisdiction, may seek a writ of mandate or an injunction requiring any or all of the material in the candidate statements to be amended or deleted.

### **Elections Office Policy:**

- A candidate's background may include details regarding the candidate's platform, which describes what they stand for and what they intend to do if they are elected.
- If a statement is determined to not be in compliance with the California 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.
- Candidates shall be fully responsible for ensuring that all spelling, punctuation, and grammar is correct. The Elections Office is not responsible for correcting spelling, punctuation, and grammatical errors.
- Any named individual or specific organization listed as an endorsement in a statement must be verified as endorsing the candidate before printing in the *Voter Information Guide*.

### **Candidates Statement Size & Format:**

- Candidates for Local Offices are limited to **200 words**.
- Candidates for U.S. Representative in Congress, State Senator and Member of the State Assembly are limited to **250 words**.
- Regardless of the word count limitation, statements must fit inside a half page square in the *Voter Information Guide* measuring 4.75" wide by 3.25" tall. The template below is the actual size allowed for each statement.
- Statements shall be typed in upper and lower case letters when appropriate and not all capital letters.
- Statements shall be free from non-standard or atypical spacing, and not contain any *italicized* or **bolded** letters.
- Statements will be printed in 8 point Arial font.
- Translations of occupations may be reformatted due to space limitations.

Candidate Initial: \_\_\_\_\_

**Candidate Statement Submittal:** At the time of filing, an electronic copy of the fillable template can be provided to the Elections Office on USB or via email to [communications@sbcountyelections.com](mailto:communications@sbcountyelections.com).

**NAME:**  
**OCCUPATION:**

**AGE:**

FOR OFFICE USE ONLY

Word Count: \_\_\_\_\_

I attest that the accompanying candidate statement is my original and will be printed in the *Voter Information Guide* as it appears on the template.

\_\_\_\_\_  
Signature of Candidate

## ATTACHMENT A

### LITERATURE REQUIREMENTS

#### § 16, Elections Code

A copy of Section 84305 of the Government Code shall be provided by the elections official to each candidate or his or her agent at the time of filing the declaration of candidacy and to the proponents of a local initiative or referendum at the time of filing the petitions.

### MASS MAILING REQUIREMENTS

#### § 84305, Government Code

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 84502 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).

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

- (1) "Mass electronic mailing" means sending more than two hundred substantially similar pieces of electronic mail within a calendar month.
- (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 84217, 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.

## **PENAL PROVISIONS – ELECTION CAMPAIGNS**

### **§ 18303, Election Code**

Every person who violates Section 84305 of the Government Code relating to Mass mailing is subject to the penal provisions set forth in Chapter 11 (commencing with Section 91000) of Title 9 of the Government Code.

### **§ 91000, Government Code**

- (a) Any person who knowingly or willfully violates any provision of this title is guilty of a misdemeanor.
- (b) In addition to other penalties provided by law, a fine of up to the greater of ten thousand dollars (\$10,000) or three times the amount the person failed to report properly or unlawfully contributed, expended, gave or received may be imposed upon conviction for each violation.
- (c) Prosecution for violation of this title must be commenced within four years after the date on which the violation occurred.

### **§91001(a). Government Code**

(a) The Attorney General is responsible for enforcing the criminal provisions of this title with respect to state agencies, lobbyists and state elections. The district attorney of any county in which a violation occurs has concurrent powers and responsibilities with the Attorney General

## DEFINITION OF MASS MAILING AND SENDER

### **§18435, California Code Regulations**

(a) A “mass mailing” has been made when over two hundred substantially similar pieces of mail have been sent within a calendar month.

(b) The sender, as used in Government Code Section 84305, is the candidate or committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable under Government Code Sections 84200-84217.

(c) For purposes of this section 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:

- 1) To any person for the design, printing, postage, materials or other costs (including salaries, fees, or commissions) of the mailing; or
- 2) As a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.

(d) The identification required by Section 84305 shall be preceded by the words “Paid for by”. These words shall be presented in the same size and color as the identification required by Section 84305, and shall be immediately adjacent to and above or immediately adjacent to and in front of the required identification.

Note: Authority cited “83112, Government Code. Reference: Sections 82041.5 and 84305, Government Code.

# Political Sign Regulations

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## Political Advertising - E.C.§20008

Any paid political advertisement contained in or distributed with a newspaper shall bear on each page in type at least half as large as the type of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement," and such words shall be set apart from any other printed matter.

## Political Signs-Adelanto Municipal Code, Title 17, Chapter 17.70.065

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

### **17.70.065 Political Signs To be amended update will be given after approval**

~~It is expected that candidates for City Council will want to use campaign signs to promote their candidacy. The City asks that each candidate keep in mind the best interests of the community, through compliance with the following:~~

~~— (a) Political and election signs, including their supporting structures, shall be permitted on private property and public rights-of-way in all zoning districts.~~

~~— (b) Signs advertising a political candidate, political party, or ballot measure may be displayed only during a period beginning forty-five (45) days before the election or vote and ending fourteen (14) days after the election or vote.~~

~~— (c) No person shall install or maintain or cause to be installed or maintained any sign which stimulates or imitates in size, color, letting, or design any traffic sign or signal, or which makes use of words, "STOP", "LOOK", or "danger," or any words, phrases, symbols, or characters in such a manner as to interfere with, mislead, or confuse traffic.~~

### Owner's Authorization

It shall be unlawful for any person or persons to post, stock, stamp, print or otherwise affix, or cause to be done by another, any notice, placard, bill, poster, or advertisement to or upon any sidewalk, crosswalk, curbing, hydrant, tree, fence, enclosure or building, or upon any telegraph, telephone, or electrical lighting pole, without first obtaining the permission of the owner, agent or occupant thereof.

### Political Sign Notification

The City has prepared a Political Sign Notification sheet required to be filed with Nomination Papers. (Download enclosed copy – Attachment B).

# **POLITICAL SIGNS**

UPDATE FORTHCOMING





# City of Adelanto

## OFFICE OF THE CITY CLERK

To All Prospective Candidates:

**RE: TEMPORARY POLITICAL SIGNS ON COMMERCIAL PROPERTY**

Enclosed you will find a Statement of Responsibility for Temporary Political Signs and Permission for Placement of Temporary Political Signs on Commercial Property. This form is being provided in the event that you may have temporary political signs in connection with the November 8, 2016, General Municipal Election and **must be on file** with the City Clerk prior to placement of political signs.

Temporary political signs may be placed on **private property** provided the following conditions are met:

- Consent of the property owner **AND**
- Statement of Responsibility for Temporary Political signs is on file with the City Clerk.

Temporary political signs may be placed on **commercial property** provided the following conditions are met:

- Consent of the property owner **AND**
- Statement of Responsibility for Temporary Political Signs and Permission for Placement of Temporary Political Signs on Commercial Property is on file with the City Clerk.

If any temporary political signs are placed in **commercial property** and the Statement of Responsibility for Temporary Political Signs and Permission for Placement of Temporary Political Signs on Commercial Property is **not** on file with the City Clerk, the City may remove those signs as soon as they are observed without prior notice to the candidate or persons placing the signs. The person or organization for whose benefit the sign, placard or handbill was affixed in violation of Ordinance No. 474 shall be liable to the City for the **actual cost of removal**. A copy of Ordinance No. 474 was previously provided to you in the Candidate Handbook.

If I can be of assistance to you in this matter, please do not hesitate to contact my office at (760) 246-2300 Ext. 11123 or 11122, Monday through Thursday, from 7:00 am to 6:00 pm.

Sincerely,

Cindy M. Herrera, MMC  
City Clerk



**STATEMENT OF RESPONSIBILITY FOR TEMPORARY POLITICAL SIGNS AND PERMISSION FOR PLACEMENT OF TEMPORARY POLITICAL SIGNS ON COMMERCIAL PROPERTY**

Election Date:       \_\_\_\_\_  \_\_\_\_\_  Other: \_\_\_\_\_

Candidate's Name: \_\_\_\_\_

Office Sought: \_\_\_\_\_

**RESPONSIBLE PARTY INFORMATION**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone No.: \_\_\_\_\_

The undersigned hereby accepts responsibility for the placement and/or removal of Temporary Political Signs for the above-named candidate. **It is understood and agreed that any Temporary Political Signs may be placed only on private and/or commercial property with the consent of the owner and placed not sooner than ninety (90) days prior to the election and/or not removed within ten (10) days after the election, may be removed by the City and the responsible party will be billed for any associated removal costs.**  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(File the originally signed statement with the City Clerk)

**PERMISSION FOR PLACEMENT OF TEMPORARY POLITICAL SIGNS ON COMMERCIAL PROPERTY**

Owner/Representative: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

The undersigned hereby grants permission to the above-named candidate to place temporary political signs at the site address/location described as:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Owner/Representative

\_\_\_\_\_  
Date

**17.44.60 Appeals.**

- A. All Staff determinations concerning Sign Approval or Condition Approval may be appealed to the Planning Commission in accordance with the Adelanto Municipal Code. Such appeal may be filed by the person requesting the sign or by a property owner within three hundred feet of the exterior boundaries of the property on which the sign is located.
- B. All Planning Commission determinations concerning Sign Approval or Conditional Approval may be appealed to the City Council in accordance with the Adelanto Municipal Code. Such appeals may be filed by the person requesting the sign or by the property owners within three hundred feet of the exterior boundary of the property on which the sign is located.

**17.0.65 Political Signs**

It is expected that candidates for City Council will want to use campaign signs to promote their candidacy. The City asks that each candidate keep in mind the best interests of the community, through compliance of the following:

- (a) Political / Election Signs: Political / Election Signs, including their supporting structures, shall be permitted on private property and/or public right-of-way in all zoning districts provided that:
- (b) No person shall install or maintain or cause to be installed or maintain any sign which simulates or imitates in size, color, lettering, or design any traffic sign or signal, or which makes use of words "STOP" "LOOK" or "DANGER", or any words, phrases, symbols, or characters in such a manner as to interfere with, mislead or confuse traffic.

**17.70.70 Obsolete Signs**

Any signs existing on or after the effective date of this Ordinance which no longer advertises an existing business conducted or product sold on the premises shall be removed by the owner of the premises upon which such sign is located after written notice to do so. Upon failure to comply with such notice within the time specified in such order, the City is authorized to cause removal of such sign and any expense incident thereto shall be paid by the owner of the building or structure to which the sign is attached, or if the sign is not attached to a building or structure, then such expense shall be paid by the owner of said property.

**17.70.75 Sign Construction and Maintenance Standards**

All permanent signs shall comply with the following criteria:

- (a) All transformers, equipment, programmers, and other related items shall be screened or concealed within the sign structure.

**DEPARTMENT OF TRANSPORTATION**DIVISION OF TRAFFIC OPERATIONS  
OUTDOOR ADVERTISING PROGRAM

Dear Candidate or Committee Member:

As a candidate or campaign worker for either office or a ballot measure, this reminder about State law governing campaign signs should be helpful to you.

Section 5405.3 of the State Outdoor Advertising Act exempts the placing of Temporary Political Signs from normal outdoor advertising display requirements.

A Temporary Political Sign meets the following criteria:

- A. Encourages a particular vote in a scheduled election.
- B. Is placed no sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.
- C. Is no larger than 32 square feet.
- D. Has had a Statement of Responsibility filed with the Department certifying a person who will be responsible for removing the sign (Attached).

A completed Statement of Responsibility must be submitted to:

Division of Traffic Operations  
Outdoor Advertising Program  
P.O. Box 942874, MS-36  
Sacramento, CA 94274-0001

Temporary Political Signs shall not be placed within the right-of-way of any highway, or be visible within 660 feet from the edge of the right-of-way of a classified "Landscaped freeway".

State law directs the Department of Transportation to remove unauthorized Temporary Political Signs and bill the responsible party for their removal. We are calling these provisions to your attention to avoid possible embarrassment or inconvenience to you and your supporters. Please share this information with those assisting in your campaign.

Should you have any questions, comments or need additional information, please call (916) 654-6473.

Enclosure

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF TRAFFIC OPERATIONS  
OUTDOOR ADVERTISING PROGRAM



**STATEMENT OF RESPONSIBILITY FOR TEMPORARY  
POLITICAL SIGNS**

Election Date: \_\_\_\_\_ June \_\_\_\_\_ November Other: \_\_\_\_\_

Candidate's Name: \_\_\_\_\_

Office sought or Proposition Number: \_\_\_\_\_

County where sign(s) will be placed: \_\_\_\_\_

Number of signs to be placed: \_\_\_\_\_

**RESPONSIBLE PARTY:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number (Include Area Code) \_\_\_\_\_

The undersigned hereby accepts responsibility for the removal of Temporary Political Signs placed pursuant to Section 5405.3 of the Outdoor Advertising Act for the above candidate or proposition.

It is understood and agreed that any Temporary Political Signs placed sooner than ninety (90) days prior to the election and/or not removed within ten (10) days after the election, may be removed by the Department and the responsible party will be billed for any associated removal costs.

\_\_\_\_\_  
SIGNATURE OF RESPONSIBLE PARTY

\_\_\_\_\_  
DATE

**Mail Statement of Responsibility to:**

Division of Traffic Operations  
Outdoor Advertising Program  
P.O. Box 942874, MS-36  
Sacramento, CA 94274-0001

# Distribution of Notices and Handbills

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## Handbills-Adelanto Municipal Code, Title 9, Chapter 9.55

### **9.55 Distribution of Notices and Handbills**

#### 9.55.010 Definitions.

For the purposes of this Chapter the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

A. “Aircraft” is any contrivance now known or hereafter invented, used or designated for navigation or for flight in the air. The word “aircraft” includes helicopters and lighter than air dirigibles and balloons.

B. “Handbill” is any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper booklet, or any other printed or otherwise reproduced original or copies of any matter of literature.

C. “Newspaper” is any newspaper of general circulation as defined by the laws of the state and any other publication whether or not designated a newspaper and which is regularly issued and printed and containing in each issue local and other news of a general nature and having advertising space in each issue thereof open to purchase by the general public for the publication of general advertising matter therein, or any other periodical or current magazine regularly published and sold to the public without less than four (4) issues per year.

D. “Person” is any person, firm partnership, association, corporation, company or organization of any kind.

E. “Private Premises” is any dwelling, house, building or other structure designed or used whether wholly or in part for private residential purposes, whether inhabited or vacant, and includes any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging to or appurtenant to such dwelling, house, building or other structure, and any business or professional establishment.

F. “Public Place” is any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.

G. “City” is the City of Adelanto.

H. “Vehicle” is every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or truck.

## Distribution of Notices and Handbills-Pg. 2

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### 9.55.020 Throwing or Distributing Handbills in Public Places

No person shall throw, cast, distribute or deposit any handbill in or upon any public place. Any person may hand out or distribute any handbill without charge to any person willing to accept it.

### 9.55.030 Placing Handbills on Vehicles

No person shall throw, cast, distribute or deposit any handbill in or upon any vehicle provided, however, it shall not be unlawful in any public place for a person to hand out or distribute a handbill without charge to any occupant of a vehicle willing to accept it.

### 9.55.040 Distribution of Handbills Where Prohibition Posted

No person shall throw, cast, distribute or deposit any handbill upon any private premises, if there is placed on said premises in a conspicuous position near entrance thereof, a sign bearing the words "No Peddlers or Agents," "No Advertisement" or any similar notice, indicating in any manner that the occupants of the premises do not desire to have any such handbills left upon the premises. The provisions of this Section shall not apply to the distribution of mail by the United States, or to newspapers, as defined herein in Section 9.55.010.C.

### 9.55.050 Dropping Litter from Aircraft

No person in an aircraft shall throw out, drop or deposit within the City while aloft any litter, including, without limitation, any handbill or other object.

### 9.55.060 Posting Notices Prohibited

No person shall post or affix any notices, poster or other paper or device, to any lamppost, public utility pole or shade tree in the public right of way or on public property, or upon any public structure or building, except as may be authorized or required by law.

# Election Activities in General

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## Politics in City Hall

- No campaigning in City Hall
- No solicitation of City Employees or Officers

## Solicitation of Political Contributions; Offense; Punishment-G.C. §3205

A. An officer or employee of a local agency shall not, directly or indirectly, solicit a political contribution from an officer or employee of that agency, or from a person on an employment list of that agency, with knowledge that the person from whom the contribution is solicited is an officer or employee of that agency.

B. A candidate for elective office of a local agency shall not, directly or indirectly, solicit a political contribution from an officer or employee of that agency, or from a person on an employment list of that agency, with knowledge that the person from whom the contribution is solicited is an officer or employee of that agency.

C. This section shall not prohibit an officer or employee of a local agency, or a candidate for elective office in a local agency, from requesting political contributions from officers or employees of that agency if the solicitation is part of a solicitation made to a significant segment of the public which may include officers or employees of that local agency.

D. Violation of this section is punishable as a misdemeanor. The district attorney shall have all authority to prosecute under this section.

E. For purposes of this section, the term "contribution" shall have the same meaning as defined in G.C. §82015.

## False or Misleading Information to Voters

No candidate shall, in his occupational designation on the ballot, assume a designation that would mislead the voters. (E.C. §13107)

Every candidate is guilty of a misdemeanor who pretends or implies that he or she is an incumbent of a public office or that he or she has acted in the capacity of a public officer when this is not the case. (E.C. §18350)

Any candidate who knowingly makes a false statement of material fact in a candidate's statement, with the intent to mislead the voters, is punishable by a fine not to exceed \$1,000. (E.C. §18351)



## Election Activities in General-Pg. 2

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### Electioneering on Election Day

E.C. 18370. No person, on Election Day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place or an elections official's office:

(a) Circulate an initiative, referendum, recall, or nomination petition or any other petition; (b) Solicit a vote or speak to a voter on the subject of marking his or her ballot; (c) Place a sign relating to voters' qualifications or speak to a voter on the subject or his or her qualifications except as provided in Section 14240; (d) Do any electioneering; or (e) Photograph, video tape, or otherwise record a voter entering or exiting a polling place.

As used in this section, "100 feet of a polling place or an elections official's office" means a distance 100 feet from 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.

Accordingly, candidates and those connected with their campaigns are advised as follows:

1. You should not visit polling places to introduce yourself to or shake hands with poll workers or those voting at the polls.
2. You should not give gifts of any kind, including gifts of food, beverage, candy, flowers etc., to poll workers.
3. You should not display any badges, buttons, clothing, hats, kerchiefs, signs, pens, pencils, or anything else that in any way suggests support for or opposition to any candidate or ballot measure at the polls.
4. If you drive to the polls in a vehicle with a sign or bumper sticker suggesting support for or opposition to any candidate or ballot measure, do not drive or park within 100 feet of the polling location.

**I wish to reiterate that the rules regarding proper conduct will be strictly enforced and that such rules apply within 100 feet of a polling place (i.e., with 100 feet of any building where voting is taking place).** Candidates are strongly advised to only visit their own polling place, and only for the purpose of voting. Candidates and others who fail to comply with these rules run the risk that they may violate state law, or be accused of violating state law. Any questions regarding permissible or prohibited activities should be directed to my office, preferably in writing, before Election Day. You may also contact us by telephone at (760) 246-2300 ext. 11123, Monday through Thursday, from 7 A.M. to 6:00 P.M.

## Election Activities in General-Pg. 3

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### Election Night Activities

Election results available after 8:00 p.m.: At the Registrar of Voters, 777 E. Rialto Avenue, San Bernardino, or by phone (909) 387-8300, (800) 881-VOTE, or website: [www.sbcrov.com](http://www.sbcrov.com).

Election Night Results Information: Candidates are invited to visit the Registrar of Voters office on election night. Cumulative election results will be available to candidates and the public via a large projection screen in the Public Assembly Room or via telephone at the Registrar of Voters Office. In addition, the results will be on the Internet. The vote by mail ballot count will be reported first at approximately 8:30 p.m.

The polls officially close at 8:00 p.m. Election activity then changes, result bulletins are printed and distributed throughout the night, until all precincts are reported in.

### Canvass

The Election Day the canvass of the returns will commence at the Registrar of Voters office. The canvass must be completed within 28 days after the election. The official election results will be certified after the completion of the canvass.

Certification of election results: After certification of the election results, winners will be presented with a Certificate of Election at the City Council meeting of December 12, 2018.