

PROCEDURES FOR COUNTY AND DISTRICT INITIATIVES AND REFERENDA



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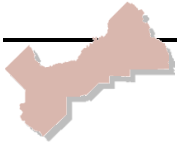
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For municipal initiatives and referenda, please contact the appropriate city clerk.

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This handbook, PROCEDURES FOR COUNTY AND DISTRICT INITIATIVES AND REFERENDA, is intended to provide general information and does not have the force and effect of law, regulation or rule. It is distributed with the understanding that the Registrar of Voters of the County of Fresno is not rendering legal advice and, therefore, the handbook is not to be a substitute for legal counsel for the individual or organization using it. It is the responsibility of jurisdictions to obtain the most up-to-date information available, reflecting changes in laws or procedures subsequent to the publication of this guide.

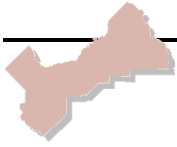
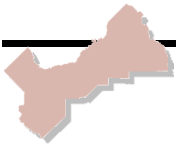


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An initiative is the power of the electors of a jurisdiction to propose a new ordinance by which they will be governed. An initiative is placed on the ballot after its proponents have successfully satisfied the requirements described in this guide and it is certified by the responsible elections official.

A referendum is the power of the voters in a jurisdiction to circulate a petition in protest of the adoption of an ordinance and request that the issue be put up for a popular vote. A referendum may also be used by the governing board of a jurisdiction to directly ask registered voters to decide on the enactment, repeal, or amendment of any ordinance.

Initiatives and referenda have specific and detailed regulations regarding the proposal, publication, petition design, certification of the petition signatures, and action by the responsible governing board. This is a guide to help interested citizens and governing boards to navigate those processes.

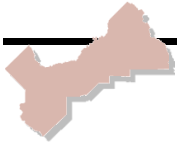
EC Div. 9 Chaps. 2, 3, 4, 5, 6, and 7

NOTE:

This guide does not discuss how a local government agency delivers a measure to the voters or how proponents or opponents of a measure would administer secondary materials for the measure. Those processes are detailed in the handbooks, “How to Place a Measure on the Ballot for County, City, School, and Special Districts” and “Guide to Writing Arguments, Rebuttals and Analyses for Local Measures”, both available on the Fresno County Elections website.



A glossary of terms used in this handbook is available in Exhibit A.



County Initiatives

Notice of Intention

To begin the initiative process, the proponents of the initiative must file a Notice of Intention with the county election official. The notice must include the names and business or residence addresses of one to five proponents of the petition. The Notice of Intention must be accompanied by the written text of the proposed initiative. The Notice of Intention may include an optional statement of the reasons for the proposed initiative. The statement must not exceed 500 words in length.

EC § 9103



An example Notice of Intention is available in Exhibit B.

The notice shall be in substantially the following form:

Notice of Intention to Circulate Petition

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

(Insert statement of reasons here)

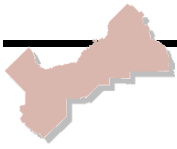
EC § 9104

The proponents must also request that a ballot title and summary be prepared.

EC § 9103



Along with the Notice of Intent, the proponents of the initiative must submit a signed Statement of Acknowledgement (please see Exhibit C).



Any person filing a Notice of Intention with the county elections official shall pay a fee of \$200. This fee will be refunded to the filer if the county elections official certifies the sufficiency of the petition within one year of the date of filing the Notice of Intention.



EC § 9103

Ballot Title and Summary

The county elections official will send a copy of any proposed measure to the county counsel. The county counsel will create a ballot title and summary for the proposed measure. The summary will be 500 words or less; the summary must truly and impartially state the purpose of the proposed initiative. The ballot title and summary must be given to the county election official within 15 days of the filing of the notice of intent.

EC § 9105

The county elections official will provide a copy of the ballot title and summary to the proponents of the proposed measure.

EC § 9105

Publication of the Notice of Intention

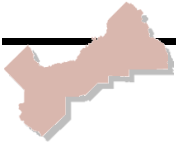


Prior to the circulation of the petition, the proponents will publish the Notice of Intention, the ballot title, and the summary of the proposed measure in an adjudicated newspaper of general circulation published in that county. Prior to the circulation of the petition, the proponents will file proof of publication with the county elections official.

EC § 9105



A list of adjudicated newspapers in Fresno County can be found in Exhibit E.



Form of the Petition

Initiative proponents are responsible for the preparation and printing of the petition. The basic form of the petition is:

- Notice of Intent
- Title and Summary
- Measure Statement
- Notice to the Public
- Signature Section
- Declaration of Circulator

EC § 101, 104, 9020, 9105, 9108, and 9109



An example petition form can be found in Exhibit F.

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

Initiative Measure to be Submitted Directly to the Voters

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

(Insert Title and Summary here)

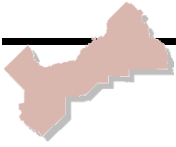
EC § 9105

The ballot title and summary prepared by the county counsel shall appear upon each section of the petition, above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman boldface type not smaller than 12 point. The ballot title and summary shall be clearly separated from the text of the measure.

EC § 9105

The text of the measure shall be printed in type not smaller than 8 point.

EC § 9105



Petition Notice to the Public

A Notice to the Public, in 12 point type, will appear prior to all sections of the petition for voters' signatures, printed names, and residence addresses. The notice must use the following language:

NOTICE TO THE PUBLIC

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

EC § 101

Design of the Signature Section

The part of a petition for the voters' signatures, printed names, and residence addresses will be numbered consecutively starting with one and continuing through the number of signature spaces allotted to each section. Proponents of the initiative decide the number of signatures attached to each section.

EC § 9020

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

EC § 9020



The signature section shall be substantially in the following form:

		Official Use Only
1.	(Print Name)	(Residence Address ONLY *)
	(Signature)	(City **)
2.	(Print Name)	(Residence Address ONLY *)
	(Signature)	(City **)

EC § 100

* Residence Address Includes Street Number and Street Name. ** City should Include Zip Code.

Declaration of Circulator

Each section of the petition must have a declaration, completed and signed by the circulator, which includes the following:

- 1 The printed name of the circulator.
- 2 The residence address of the circulator, including street and number.
- 3 The dates all the signatures on this petition section were obtained.

Each declaration submitted pursuant to this section shall also set forth the following:

- 1 That the circulator witnessed each signature being written.
- 2 That, to the best information and belief of the circulator, each signature is the genuine signature of the person whose name it purports to be.
3. That the circulator is at least eighteen years old.

The circulator shall certify to the content of the declaration as to its truth and correctness, under penalty of perjury under the laws of the State of California, by signing the declaration and appending the date and place of the execution of the declaration.



EC § 104, 9109

When to Circulate the Petition



The proponents may begin to circulate the petition after the publication of the title and summary prepared by the county counsel and filing proof of publication with the county elections official.

EC § 9105, 9108

Who May Circulate the Petition?

The circulators of the petition forms must be at least eighteen years old.

EC § 102

Who May Sign the Petition?

Notwithstanding any other provision of law, whenever any initiative is required to be signed by voters of any county, city, school district, or special district subject to petitioning, only a person who is an eligible registered voter at the time of signing the petition is entitled to sign it. For a countywide initiative petition, only persons who are eligible registered voters of the County of Fresno, at the time of signing, may sign the petition.

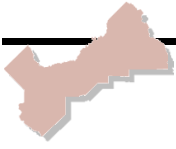
EC § 100

Each signer must personally sign their name, write out their printed name, and write their residence address and city or unincorporated community of residence. The residence address should include the street name and number and the city should be accompanied by the residence zip code.

EC § 100

A signer may complete a registration affidavit at the same time as they sign the petition. The completed affidavits should be turned in within three days or when the completed petitions are submitted, whichever is sooner.

EC § 2102(b), 2138



The circulator may sign the section he or she is circulating. The signature of the circulator shall be given the same effect as that of any other qualified signer.

EC § 9021

A voter who is unable to personally sign the petition may place their mark in the appropriate space of the petition. The mark should be witnessed by one person, who will sign next to the mark. The voter may request the assistance of another person to print the voter's name and place of residence on the appropriate spaces of the petition.

EC § 100.5

Fiscal Impact Analysis

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

(EC § 9111)

Filing the Petition

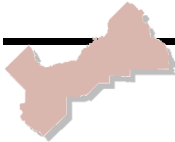


Completed petitions must be turned in to the county elections official for filing no later than 180 days from the date of receipt of the title and summary.




The petition due date may be delayed due to a writ of mandate (§ 9106) or amendment to the title or summary due to a writ of mandate. If delayed by court action, the completed petition is due 180 days from the execution of the writ of mandate or from the receipt of the amended title or summary.

EC § 9110



The petition must be filed by the proponents, or by any person or persons authorized in writing by the proponents.

All sections of the petition must be filed at the same time. Any portion of the petition not filed at that time will be void. Once filed, no petition section can be changed except by court order.



EC § 9113

When the petition is filed, the county elections official will determine the number of signatures on the petition. If the initial count finds a number of signatures equal to or more than the minimum number of signatures required, the county elections official shall examine the petition in accordance with §9114 or §9115 to determine the number of valid signatures. If the initial count finds a number of signatures less than the minimum number of signatures required, the petition will be deemed insufficient and no further action shall be taken.

EC § 9113

Examination of Signatures

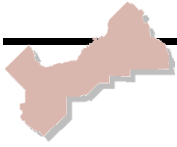
Within 30 days from the date of filing of the completed petition, excluding Saturdays, Sundays, and holidays, the elections official shall examine the petition, and from the records of registration ascertain whether or not the petition is signed by the requisite number of voters. A certificate showing the results of this examination shall be attached to the petition.

EC § 9114

If the petition contains more than 500 signatures, the elections official may use a random sampling technique for verification of signatures. The random sampling shall include an examination of at least 500, or 3 percent of the signatures, whichever is greater.

EC § 9115

For County Initiatives, the number of signatures required for sufficiency is based on the most recently completed gubernatorial election. To be sufficient, the petition must be signed by



voters in excess of 10 percent of the number of voters within the county for all candidates for Governor at the last gubernatorial election preceding the publication of the notice of intention to circulate an initiative petition.

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

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

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



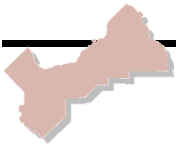
EC § 9114

Disposition of Sufficient Petition for County Initiatives

If the petition has been deemed sufficient, the Board of Supervisors shall do one of the following:

- a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.
- b) Submit the ordinance, without alteration, to the voters pursuant to EC §1405.
- c) Order a report pursuant to §9111 at the regular meeting at which the certification of the petition is presented. When the report is presented to the Board of Supervisors, the board shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

EC § 9118



ENACTING, AMENDING, REVISING OR REPEALING THE COUNTY CHARTER

Petitions to amend or repeal a county charter shall be subject to elections code (commencing with Section 9100).

Government Code § 23720

Any proposal to enact, amend, or otherwise revise a county charter by initiative petition may be submitted to the Board of Supervisors and shall be subject to Article 1, commencing with §9100 of the Elections Code.

EC § 9102



Please see the section on County Initiatives, pages 4 – 12, for instructions on completing the petition process.

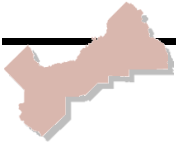
The following apply solely to petitions affecting the county charter:

A petition to enact, amend, revise or repeal the county charter will be found to be sufficient if it is signed by a number of voters of the county equal to or greater than 10 percent of the voters within the county who voted for a candidate for Governor in the last gubernatorial general election.

A county charter may be amended by proposals submitted by the governing body or by a sufficient petition filed in the office of the county elections official, petitioning the governing body to submit a proposed amendment or amendments to the charter of the county to the qualified electors of the county, which amendment or amendments are set forth in full in the petition.

A county charter may be repealed by proposals submitted by the governing body or by a sufficient petition. The petition shall be filed in the office of the county elections official and must ask the governing body to submit the question of charter repeal to the qualified electors of the county.

Government Code § 23720



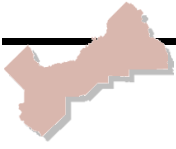
Submission to Voters and Alternative Proposals

Upon the presentation of a sufficient petition, or upon its own submission of a proposal to amend or repeal the charter, the governing body shall submit the amendment or amendments proposed, or the question of the repeal of the charter to the eligible registered voters of the county at a special election held on the next established election date not less than 88 days after the presentation of the petition, or submission of the proposal. In submitting the question of charter repeal or amendment, any alternative article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others.

Government Code § 23723



A flowchart describing the County Initiative process can be found in Exhibit H.



DISTRICT INITIATIVES

Overview

In addition to any other method provided by law, ordinances may be enacted by any district pursuant to Article 1 commencing with §9300 of the Elections Code. However, the provisions of Article 1 shall not apply to irrigation districts, to a district formed under a law which does not provide a procedure for elections, to a district formed under a law which does not provide for action by ordinance, to a district governed by an election procedure that permits voters, in electing the district's directors or trustees, to cast more than one vote per voter, or to a district in which the directors are empowered to cast more than one vote per director when acting on any matter.

EC § 9300

Initiatives powers for county water districts, county drainage districts, and community services districts are to be exercised in accordance with the procedure established by law for the exercise of those powers in relation to counties (Water Code §§30830, 56042; Government Code §61450). Consult the "County Initiatives" section in this booklet when considering an initiative proposal for these types of districts.

Definitions

"District," for the purposes of initiative and referendum, commencing with §9300, includes any regional agency that has the power to tax, to regulate land use, or to condemn and purchase land.

EC § 317

"District elections official," for the purposes of initiative and referendum, commencing with §9300, includes the county elections official or other officer or board charged with performing the duties required of the clerk of the district by that chapter.

EC § 308

Publication of Notice of Intention



Before circulating an initiative petition in any district, the proponents of that measure must publish a notice of intention.

The notice must be accompanied by a printed statement stating the reasons for the proposed petition. The printed statement shall not exceed 500 words. The notice must be signed by at least one, but not more than five, proponents.



An example Notice of Intention is available in Exhibit B.

The notice shall be in substantially the following form:

Notice of Intention to Circulate Petition

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

(Insert statement of reasons here)

EC § 9302

A notice of intention and statement must be published at least once in an adjudicated newspaper of general circulation within the district. If there are no adjudicated newspapers in the district, the notice and statement must be published in an adjudicated newspaper of general circulation in Fresno County and post the notice and statement in at least three public locations within the district.

EC § 9303



Filing of Notice of Intention and Statement

Within 10 days after the date of publication of the notice of intention and statement, the proponents shall file a copy of the notice and statement as published or posted, together with an affidavit made by a representative of the newspaper in which the notice was published, certifying to the fact of publication. If the notice and statement of reasons were posted in public places, an affidavit by a voter of the district attesting to the posting is also required. The affidavit(s), together with a copy of the notice of intention, statement, and the full text of the measure, shall be filed with the district elections official. We request the inclusion of photographic evidence of posting, if done.

EC § 9304, 9305



Along with the Notice of Intent and affidavit of publication, the proponents of the initiative must submit a signed Statement of Acknowledgement (please see Exhibit C).

Form of the Petition

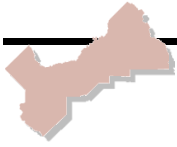
Initiative proponents are responsible for the preparation and printing of the petition. The basic form of the petition is:

- Notice of Intent
- Statement of Reasons
- Text of the Measure
- Notice to the Public
- Signature Section
- Declaration of Circulator

EC § 101, 104, 9020, 9305, 9307



An example petition form can be found in Exhibit G.



Petition Notice to the Public

A Notice to the Public, in 12 point type, will appear prior to all sections of the petition for voters' signatures, printed names, and residence addresses. The notice must use the following language:

NOTICE TO THE PUBLIC

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

EC § 101

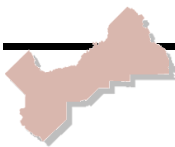
Design of the Signature Section

The part of a petition for the voters' signatures, printed names, and residence addresses will be numbered consecutively starting with one and continuing through the number of signature spaces allotted to each section. Proponents of the initiative decide the number of signatures attached to each section.

EC § 9020

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

EC § 9020



The signature section shall be substantially in the following form:

		Official Use Only
1.	(Print Name)	
	(Residence Address ONLY *)	
	(Signature)	
	(City **)	
2.	(Print Name)	
	(Residence Address ONLY *)	
	(Signature)	
	(City **)	

EC § 100

* Residence Address Includes Street Number and Street Name. ** City should Include Zip Code.

Declaration of Circulator

Each section of the petition must have a declaration, completed and signed by the circulator, which includes the following:

- 1 The printed name of the circulator.
- 2 The residence address of the circulator, including street and number.
- 3 The dates all the signatures on this petition section were obtained.

Each declaration submitted pursuant to this section shall also set forth the following:

- 1 That the circulator witnessed each signature being written.
- 2 That, to the best information and belief of the circulator, each signature is the genuine signature of the person whose name it purports to be.
3. That the circulator is at least eighteen years old.

The circulator shall certify to the content of the declaration as to its truth and correctness, under penalty of perjury under the laws of the State of California, by signing the declaration and appending the date and place of the execution of the declaration.



EC § 104, 9109

When to Circulate the Petition



The proponents may begin to circulate the petition after filing the notice of intent, statement of reasons, affidavit of publication and posting, and the full text of the measure with the district elections official.

EC § 9305

Who May Circulate the Petition?

The circulators of the petition forms must be at least eighteen years old.

EC § 102

Who May Sign the Petition?

Notwithstanding any other provision of law, whenever any initiative is required to be signed by voters of any county, city, school district, or special district subject to petitioning, only a person who is an eligible registered voter at the time of signing the petition is entitled to sign it. For a district initiative petition, only persons who are eligible registered voters of the district, at the time of signing, may sign the petition.

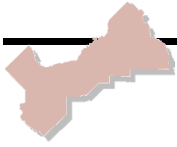
EC § 100

Each signer must personally sign their name, write out their printed name, and write their residence address and city or unincorporated community of residence. The residence address should include the street name and number and the city should be accompanied by the residence zip code.

EC § 100

A signer may complete a registration affidavit at the same time as they sign the petition. The completed affidavits should be turned in within three days or when the completed petitions are submitted, whichever is sooner.

EC § 2102(b), 2138



The circulator may sign the section he or she is circulating. The signature of the circulator shall be given the same effect as that of any other qualified signer.

EC § 9021

A voter who is unable to personally sign the petition may place their mark in the appropriate space of the petition. The mark should be witnessed by one person, who will sign next to the mark. The voter may request the assistance of another person to print the voter's name and place of residence on the appropriate spaces of the petition.

EC § 100.5

Filing the Petition



Completed petitions must be filed with the district elections official no later than 180 days from the date of filing of the materials required in § 9304. If the petitions are not filed within the time permitted, the petition and its sections shall be void for all purposes.



EC § 9306

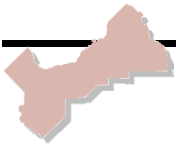
Examination of Signatures

Within 30 days from the date of filing of the completed petition, excluding Saturdays, Sundays, and holidays, the elections official shall examine the petition, and from the records of registration ascertain whether or not the petition is signed by the requisite number of voters. A certificate showing the results of this examination shall be attached to the petition, and the proponents shall be notified of the sufficiency or insufficiency of the petition.

EC § 9308

If the petition contains more than 500 signatures, the elections official may use a random sampling technique for verification of signatures. The random sampling shall include an examination of at least 500, or 3 percent of the signatures, whichever is greater.

EC § 9309



For District Initiatives, the number of signatures required for sufficiency is based on the total number of registered voters within the district. To be sufficient, the petition must be signed by voters in excess of ten percent (10%) of the number of voters in the last report of registration made to the secretary of state's office prior to the publication of the notice of intention to circulate an initiative petition.

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

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



EC § 9308, 9309

Disposition of Sufficient Petition for District Initiatives

If the petition has been deemed sufficient, the district board shall do one of the following:

- a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.
- b) Submit the ordinance, without alteration, to the voters pursuant to EC §1405.

EC § 9310



A flowchart describing the District Initiative process can be found in Exhibit H.



REFERENDUM

NOTE:

A referendum is the submission of an ordinance, proposed or already in effect, to a direct vote of the people. By using referendum powers, the legislative board of a jurisdiction (e.g., Board of Supervisors, city council) may ask registered voters to decide on the enactment, repeal, or amendment of any ordinance. Additionally, voters may independently circulate a petition protesting the adoption of an ordinance and request that the issue be put up for a popular vote.

COUNTY REFERENDA

Submission by Board of Supervisors

The Board of Supervisors may submit to the voters, without a petition, an ordinance for the repeal, amendment, or enactment of any ordinance. The ordinance shall be voted upon at any succeeding regular or special election and, if it receives a majority of the votes cast, the ordinance shall be repealed, amended, or enacted accordingly.

EC § 9140

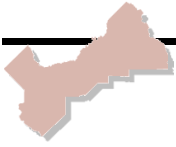
Petition Protesting Adoption of an Ordinance

If a petition protesting the adoption of an ordinance is presented to the Board of Supervisors prior to the effective date of the ordinance, the ordinance shall be suspended and the Supervisors shall reconsider the ordinance.

EC § 9144

Form of Petition

The provisions of the Elections Code relating to the form of petitions, the duties of the county elections official, and the manner of holding elections, when an ordinance is proposed by initiative petition, govern the procedure on ordinances against which a protest is filed.



Please see the County Initiatives section of this booklet, pages 4 – 12, for further information on petition format and other procedural processes.

EC § 9146

The following requirements are specific to petitions used for referenda protesting the adoption of an ordinance:

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

Referendum Against an Ordinance Passed by the Board of Supervisors

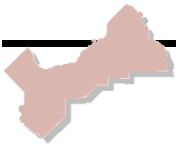
EC § 9147

Each section of the referendum petition shall contain the title and text of the ordinance or the portion of the ordinance that is the subject of the referendum.

EC § 9147

The petition shall be signed by voters of the county equal in number to at least 10 percent of the entire vote cast within the county for all candidates for Governor at the last gubernatorial election.

EC § 9144



Protest of Ordinance Submitted to Voters

For referenda petitions found to be sufficient, the Board of Supervisors must do one of the following:

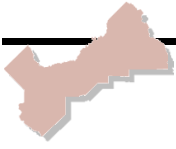
- a) repeal the ordinance against which a petition is filed
- b) submit the ordinance to the voters at the next regularly scheduled county election occurring not less than 88 days after the date of the order
- c) or submit the ordinance to the voters at a special election called for that purpose not less than 88 days after the date of the order.

The ordinance shall not become effective unless and until a majority of the voters voting on the ordinance vote in favor of it.

EC § 9145



A flowchart describing the County Referendum process can be found in Exhibit H.



DISTRICT REFERENDA

Submission by Governing Board

The governing board of any district to which Election Code § 9340 applies may refer legislative questions to the voters of the district in the same manner as the Board of Supervisors may refer county questions pursuant to § 9140.



See the County Referendum section of this hand book, pages 23 – 25.

EC § 9342

Petition Protesting Adoption

The voters of any district that is a local public entity as defined by § 900.4 of the Government Code, and to which EC § 9300 applies, shall have the right to petition for referendum on legislative acts of the district in the same manner and subject to the same rules as are set forth in § 9141 through § 9147, except that all computations referred to in those sections and officers of the county mentioned in those sections shall be construed to refer to comparable computations and officers of the district.

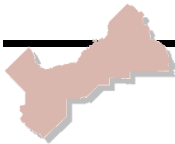


See the County Referendum section of this hand book, pages 23 – 25.

EC § 9340

Form of Petition

The provisions of the Elections Code relating to the form of petitions, the duties of the county elections official, and the manner of holding elections, when an ordinance is proposed by initiative petition, govern the procedure on ordinances against which a protest is filed.



Please see the County Initiatives section of this booklet, pages 4 – 12, for further information on petition format and other procedural processes.

EC § 9146

Protest of Ordinance Submitted to Voters

For referenda petitions found sufficient, the district governing board has the following options:

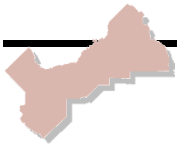
- a) repeal the ordinance against which a petition is filed
- b) submit the ordinance to the voters at the next regularly scheduled district election occurring not less than 88 days after the date of the order
- c) or submit the ordinance to the voters at a special election called for that purpose not less than 88 days after the date of the order.

The ordinance shall not become effective unless and until a majority of the voters voting on the ordinance vote in favor of it.

EC § 9145, 9340



A flowchart describing the District Referendum process can be found in Exhibit H.



MUNICIPAL INITIATIVES AND REFERENDA

Any proposed ordinance may be submitted to the legislative body of a city by a petition filed with the elections official of the city. Petitions protesting the adoption of an ordinance within a municipality may be filed with the elections official of the legislative body of the city.

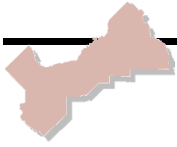
NOTE:

While the general function and requirements of a municipal initiative or referendum is the same as those for a County initiative, the specifics may vary based upon jurisdiction. It is the responsibility of initiative and referendum proponents to contact the proper municipal elections official to find the proper instructions and procedures to successfully complete a municipal measure.

Contact numbers for the 15 incorporated cities in Fresno County:

City	Contact Number	City	Contact Number
City of Clovis	(559) 324-2060	City of Mendota	(559) 655-4298
City of Coalinga	(559) 935-1533	City of Orange Cove	(559) 626-4488
City of Firebaugh	(559) 659-5904	City of Parlier	(559) 646-3545
City of Fowler	(559) 834-3113	City of Reedley	(559) 637-4200
City of Fresno	(559) 621-7650	City of San Joaquin	(559) 693-4311
City of Huron	(559) 945-2241	City of Sanger	(559) 876-6300
City of Kerman	(559) 846-9380	City of Selma	(559) 891-2200
City of Kingsburg	(559) 897-5821		

Municipal initiatives and referenda are covered in the Elections Code, Sections 9200 through 9295.



CAMPAIGN DISCLOSURE REQUIREMENTS

Political Reform Act



Proponents of initiative or referendum petitions may have campaign disclosure requirements under the Political Reform Act.

Government Code § 81000 et seq.


If You Plan to Raise or Spend Money

First Obtain a copy of Campaign Disclosure Manual 3 – Ballot Measure Committees. Campaign Disclosure Manuals can be downloaded from the Fair Political Practices Commission (FPPC) website: [FPPC website \(www.fppc.ca.gov\)](http://www.fppc.ca.gov). Questions regarding the manual can be directed to the FPPC at 1-866-275-3772 or via email at advice@fppc.ca.gov.

Second File a Form 410 – Statement of Organization – with the Secretary of State Political Reform Division and a copy of the Form 410 with your local filing officer. Campaign Disclosure Forms are available online at www.fppc.ca.gov or by calling your local filing officer at 559-600-1620 and making a request.

Any person, who receives contributions totaling \$2,000 or more within a calendar year, qualifies as a recipient committee and within 10 days of qualifying must file a Form 410 with the Secretary of State and a copy with your local filing officer.

A Form 410 may be filed prior to qualifying. Upon receipt of the Form 410, the Secretary of State will issue an identification number, which must be included on all campaign disclosure forms.



Third Once qualified, be prepared to file Form 450 (short form) or Form 460 (long form) Pre-Election Statements and Semi-Annual statements (according to the filing schedule for your committee).

These statements detailing your committee(s) contributions and expenditures are filed at specified times prior to and following the election. Know the deadlines and the type of forms you must file. Forms 450 and 460 are filed with the local filing officer.

Elections Department staff will provide you with a filing schedule. For technical advice on completing the forms, call the Fair Political Practices Commission toll free at 1-866-275-3772, visit their website at [FPPC website \(www.fppc.ca.gov\)](http://www.fppc.ca.gov), or call the Fresno County Elections Department at 559-600-1620.

Fourth File a Form 410 termination with the Secretary of State Political Reform Division to terminate the committee upon completion of your initiative efforts. You must also file a copy of the Form 410 termination and a Form 460 or Form 450 termination with your local filing officer to terminate the committee upon completion of your initiative efforts.

NOTE:

Most campaign finance forms can be electronically filed with the Secretary of State and the local filing officer. Contact the FPPC or local filing officer for assistance in completing any of these forms.

- The County Clerk/Registrar of Voters is the filing officer for County initiatives and referenda campaign finance forms. Electronic filing is available and encouraged.
- Campaign finance forms for Municipal initiatives and referenda should be filed with the appropriate city clerk. Contact the appropriate city clerk to see if electronic filing is available.
- Campaign finance forms for District initiatives and referenda will primarily be filed with the County Clerk/Registrar of Voters. Some forms may be filed in other locations. Please contact the County Clerk/Registrar of Voters for specifics.

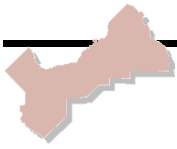


Exhibit A – Glossary of Terms

Certification	The documenting and guaranteeing the results of an election, verification of signatures, and other acts by the elections official.
Circulator	A paid or volunteer person, at least 18 years of age, responsible for acquiring signatures on a section of petition.
Declaration of Circulator	A statement signed by the circulator of a petition in which he/she declares specific information about the petition and its signatures.
District	For the purposes of district initiatives and referenda, "district" includes any regional agency that has the power to tax, regulate land use, or to condemn and purchase land.
Elections Official	The county elections official or other officer or board charged with performing the duties required of the clerk of a district.
Governing Board	For countywide actions, the Board of Supervisors. For District actions, the elected Board of the district.
Notice of Intention	Statement of a proponents' desire to circulate an initiative petition, potentially including the statement of reasons for the proposed measure.
Proponent	The person or persons who are responsible for the Notice of Intention and creation, circulation, and filing of the petition with the election official or legislative body.
Residence	"Residence" for voting purposes means a person's domicile - The place in which his/her habitation is fixed, they have the intention of remaining, and to which they intend to return whenever they leave. At any given time, a person may only have one domicile.
Statement of Reasons	A printed statement which accompanies the Notice of Intention, stating why the proponents are circulating the petition.
Verification of Signatures	Comparing a person's signature on a petition with the voter registration records' signature on file to determine if they match.

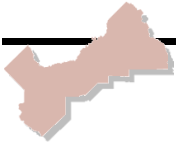


Exhibit B – Example Notice of Intent

Notice of Intention to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the _____ for the purpose of _____.

(County of Fresno or District Name) (Title of Measure)

A statement of the reasons of the proposed action as contemplated in the petition is as follows:

(Insert statement of reasons here, no more than 500 words, optional for county initiatives)

(Printed Name of Proponent)

(Signature of Proponent)

(Business or Residence Address)

(City/State/Zip Code)

Please Note: The Notice of Intent must be signed by at least one (1) proponent and no more than five (5) proponents.

For county initiatives, the Notice of Intent must be accompanied by:

- 1) the written text of the measure
- 2) a request for a ballot title and summary to be prepared by the County Counsel
- 3) payment of a \$200 filing fee
- 4) a Statement of Acknowledgement (Exhibit C)

For district initiatives, the Notice of Intent must include a statement of reasons (EC § 9302) and be accompanied by a Statement of Acknowledgement (Exhibit C).



Exhibit C – Proponent Statement of Acknowledgement

I, _____, acknowledge that it is a misdemeanor under
(Printed Name of Proponent)
state law (Section 18650 of the elections code) to knowingly or willfully allow the
signatures on an initiative petition to be used for any purpose other than qualification of
the proposed measure for the ballot.

I certify that I will not knowingly or willfully allow the signatures for this initiative to
be used for any purpose other than the qualification of the measure for the ballot.

(Signature of Proponent)

Dated this _____ day of _____, 20_____
(Day) (Month) (Year)

EC § 9608

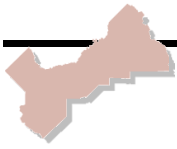


Exhibit D – How to Count Words

The following guidelines are used by the County Elections Officials for counting words on the Notice of Intent (statement of reasons). If the text exceeds the specified word limit, the author will be asked to delete words or change text until the document conforms to requirements.

EC § 9

Type	Description	Example
PUNCTUATION MARKS	Punctuation marks are not counted. However, symbols such as “&” (and), and “#” (number/pound) are not considered punctuation and each symbol is counted as one (1) word.	“ ”, “ ”, “.”
ALL PROPER NOUNS	All proper nouns, including the names of individuals, things, and Geographical names (requiring a defined jurisdiction) are counted as one (1) word.	"City of San Joaquin", "City and County of San Francisco", "George Washington"
ABBREVIATIONS and ACRONYMS	Acronyms or abbreviations for a word, phrase, or expression are counted as one (1) word.	CSUF, PTA, UCSF, U.S.M.C.
HYPHENATED WORDS	Hyphenated words that appear in any generally available standard reference dictionary published in the U.S. at any time within the last 10 calendar years immediately preceding the election are counted as one (1) word. Be aware that many word processing programs will count a hyphenated word as one word even if it does not fit these criteria.	Attorney-at-law, full-time (as an adjective), in-law
NUMERIC COMBINATIONS	Numeric combinations will be counted as one (1) word. Numeric combinations consisting of a combination of words and digits are counted as multiple words.	15000, 13 1/2, 5%, 06/01/1995, \$200,000 Six %, July 4, 2012, December Twenty-Fifth, \$15 million
TELEPHONE and FAX NUMBERS	Telephone and fax numbers are counted as (1) word.	(559)600-8683, 1-800-345-VOTE
EMAIL ADDRESSES and WEBSITES	Email addresses and websites are counted as (1) word.	www.co.fresno.ca.us/elections, myemail@co.fresno.ca.us

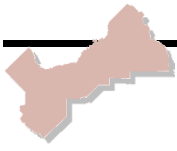


Exhibit E – List of Adjudicated Newspapers in Fresno County

PUBLICATION DEADLINES VARY FOR EACH NEWSPAPER – PLEASE CONTACT NEWSPAPERS IN ADVANCE!

THE FRESNO BEE

1626 E Street
Fresno, CA 93786
(559) 441-6115

ENTERPRISE RECORDER

P.O. Box 9
Hanford, CA 93232
(559) 582-0471

FRESNO BUSINESS JOURNAL

1315 Van Ness, #200
Fresno, Ca 93721
(559) 490-3400

SANGER HERALD

740 N Street
Sanger, CA 93657
(559) 875-2511

SAN JOAQUIN-TRANQUILITY WEST SIDE ADVANCE

652 S. Madera Ave.
Kerman, CA 93630
(559) 846-6689

THE REEDLEY EXPONENT

P.O. Box 432
Reedley, CA 93654
(559) 638-2244

THE KERMAN NEWS

652 S. Madera Ave.
Kerman, CA 93630
(559) 846-6689

MOUNTAIN PRESS

P.O. Box 97
Prather, CA 93651
(559) 855-8100

FIREBAUGH MENDOTA JOURNAL / THE MENDOTA TIMES

652 S. Madera Ave.
Kerman, CA 93630
(559) 846-6689

Note: This list was compiled by the Fresno County Clerk's office from the information on file as of January 22 1980, Revised April 25, 2006 and August 14, 2017. This office makes no representations to the current status of any newspaper nor does the County Clerk's office make any determination of the proper newspaper to be utilized for legal publications.

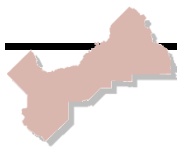


Exhibit F – Example County Petition

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The County Counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Insert Ballot Title and Summary)

Please Note: For County Initiatives, this heading is required at the start of each section (above the notice of intent and Text of the measure) and the Ballot Title and Summary are required at the top of each page of the petition on which signatures are to appear, in roman boldface type not smaller than 12 point (EC § 9105(c)).

Notice of Intention to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the County of Fresno for the purpose of *(Insert Title or purpose of measure)*. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

(Insert the statement of reasons, optional)

Please Note: The notice of Intent must be included within each section of the petition and must include a listing of the proponents who signed the filed copy of the Notice of Intent (in a printed form following: Name, Address, City, State, Zip). The Notice of Intent should be at least 8 point font and clearly separated from the Ballot Title and Summary for county initiatives.

(Insert the text of the measure, minimum of 8 point font, required only once per section)

NOTICE TO THE PUBLIC

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER.
YOU HAVE THE RIGHT TO ASK.

Official Use
Only

1.	(Print Name)	(Residence Address ONLY *)	
	(Signature)	(City **)	
2.	(Print Name)	(Residence Address ONLY *)	
	(Signature)	(City **)	

* Residence Address Includes Street Number and Street Name. ** City should Include Zip code.

Please Note: The formatting for signature blocks are codified in EC § 100 and must be followed. Improper signature blocks may result in the disqualification of attached signatures. The “Official Use Only” must be at least one (1) inch wide. Residence Address should include street number and street name; City should include zip code.

Petition example continued on next page.



Please Note: The declaration by the circulator must be included once per petition section, following the final signature block. The declaration must be completed in the circulator's hand, do not pre-fill any portion or you risk disqualification of all attached signatures.

**DECLARATION OF PERSON CIRCULATING SECTION OF MEASURE PETITION
(MUST BE IN CIRCULATOR'S OWN HANDWRITING)**

I, _____, solemnly swear (or affirm) all of the following:
(Circulator's Name, Printed)

- 1. That I am 18 years of age or older.
- 2. That my residence address, including street and number, is _____.
(Written Residence Address)

(If no street or number exists, a designation of my residence adequate to readily ascertain its location
Is _____.)
(Description of Residence Address)

- 3. That the signatures on this section of the petition form were obtained between _____, 20____, and _____, 20____; that I circulated the petition and I witnessed
(Month, Day) (Year) (Month, Day) (Year)
the signatures on this section of the petition form 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 under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ at _____, California.
(Date) (City or Location)

(Circulator's Signature) (Date)

Please Note: We recommend all petition pages have a 1 inch margin at the top of the page and ½ inch margins on the left, right and bottom of each page.

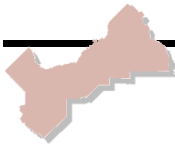


Exhibit G – Example District Petition

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Please Note: For District Initiatives, no Ballot Title and Summary will be included and each Section of the petition must begin with the Notice of Intent and Statement of Reasons.

Notice of Intention to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the *(County of Fresno or District Jurisdiction)* for the purpose of *(Insert Title or purpose of measure)*. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

(Insert the statement of reasons, REQUIRED for district initiatives)

Please Note: The notice of Intent must be included with each section of the petition and must include a listing of the proponents who signed the filed copy of the Notice of Intent (in a printed form following: Name, Address, City, State, Zip). The Notice of Intent should be at least 8 point font.

(Insert the text of the measure, minimum of 8 point font, required only once per section)

NOTICE TO THE PUBLIC

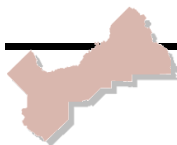
THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER.
YOU HAVE THE RIGHT TO ASK.

		Official Use Only
1.	(Print Name)	
	(Residence Address ONLY *)	
	(Signature)	
	(City **)	
2.	(Print Name)	
	(Residence Address ONLY *)	
	(Signature)	
	(City **)	

* Residence Address Includes Street Number and Street Name. ** City should Include Zip code.

Please Note: The formatting for signature blocks are codified in EC § 100 and must be followed. Improper signature blocks may result in the disqualification of attached signatures. The “Official Use Only” must be at least one (1) inch wide. Residence Address should include street number and street name; City should include zip code.

Petition example continued on next page.



Please Note: The declaration by the circulator must be included once per petition section, following the final signature block. The declaration must be completed in the circulator's hand, do not pre-fill any portion or you risk disqualification of all attached signatures.

**DECLARATION OF PERSON CIRCULATING SECTION OF MEASURE PETITION
(MUST BE IN CIRCULATOR'S OWN HANDWRITING)**

I, _____, solemnly swear (or affirm) all of the following:
(Circulator's Name, Printed)

- 1. That I am 18 years of age or older.
- 2. That my residence address, including street and number, is _____.
(Written Residence Address)

(If no street or number exists, a designation of my residence adequate to readily ascertain its location
is _____.)
(Description of Residence Address)

- 3. That the signatures on this section of the petition form were obtained between
_____, 20_____, and _____, 20_____; that I circulated the petition and I witnessed
(Month, Day) (Year) (Month, Day) (Year)
the signatures on this section of the petition form 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 under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ at _____, California.
(Date) (City or Location)

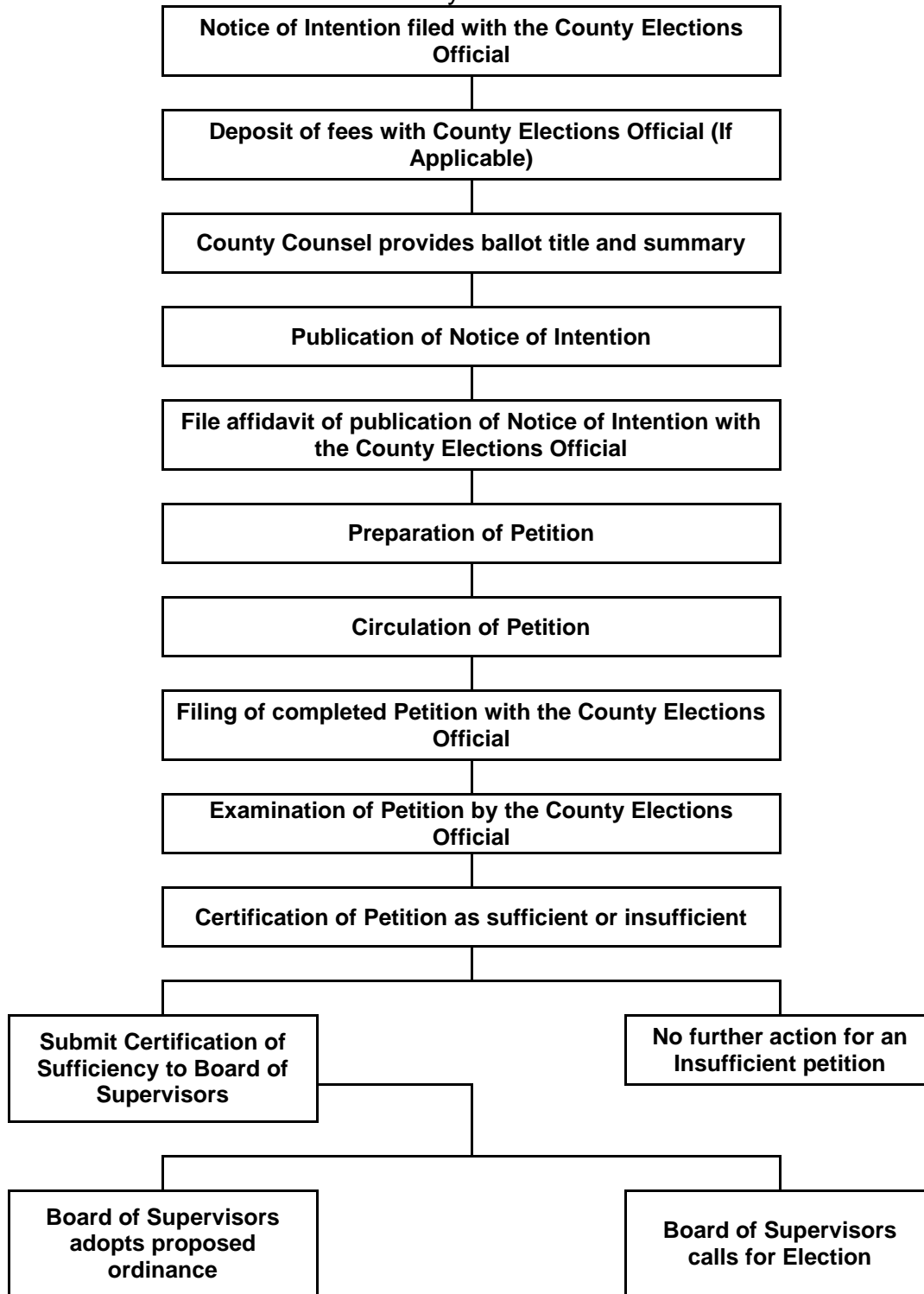
(Circulator's Signature) (Date)

Please Note: We recommend all petition pages have a 1 inch margin at the top of the page and ½ inch margins on the left, right and bottom of each page.



Exhibit H – Flowcharts

County Initiative



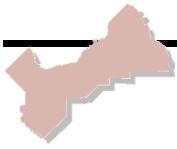
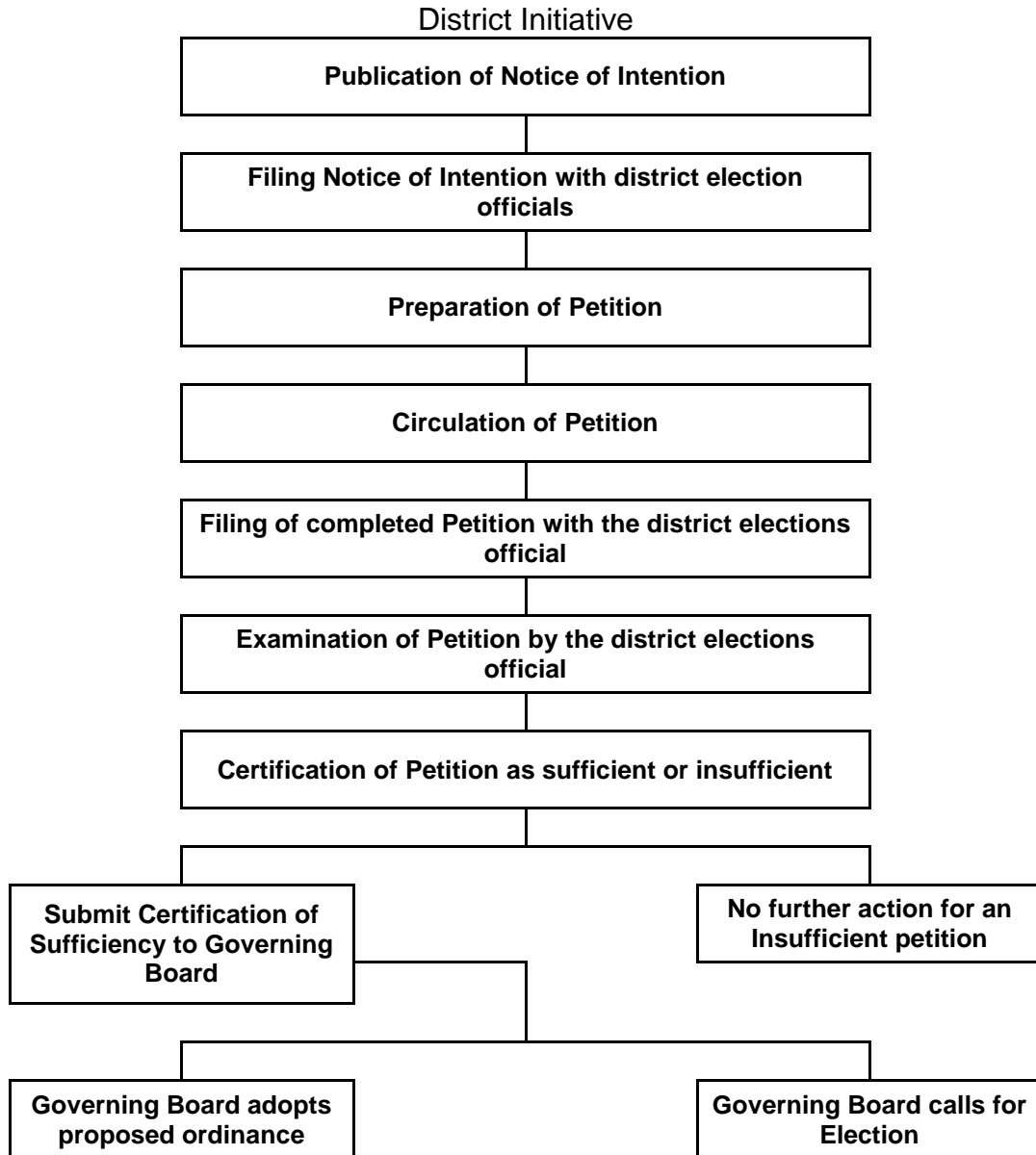


Exhibit H – Flowcharts (Cont.)



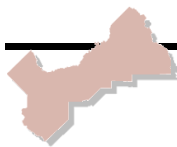
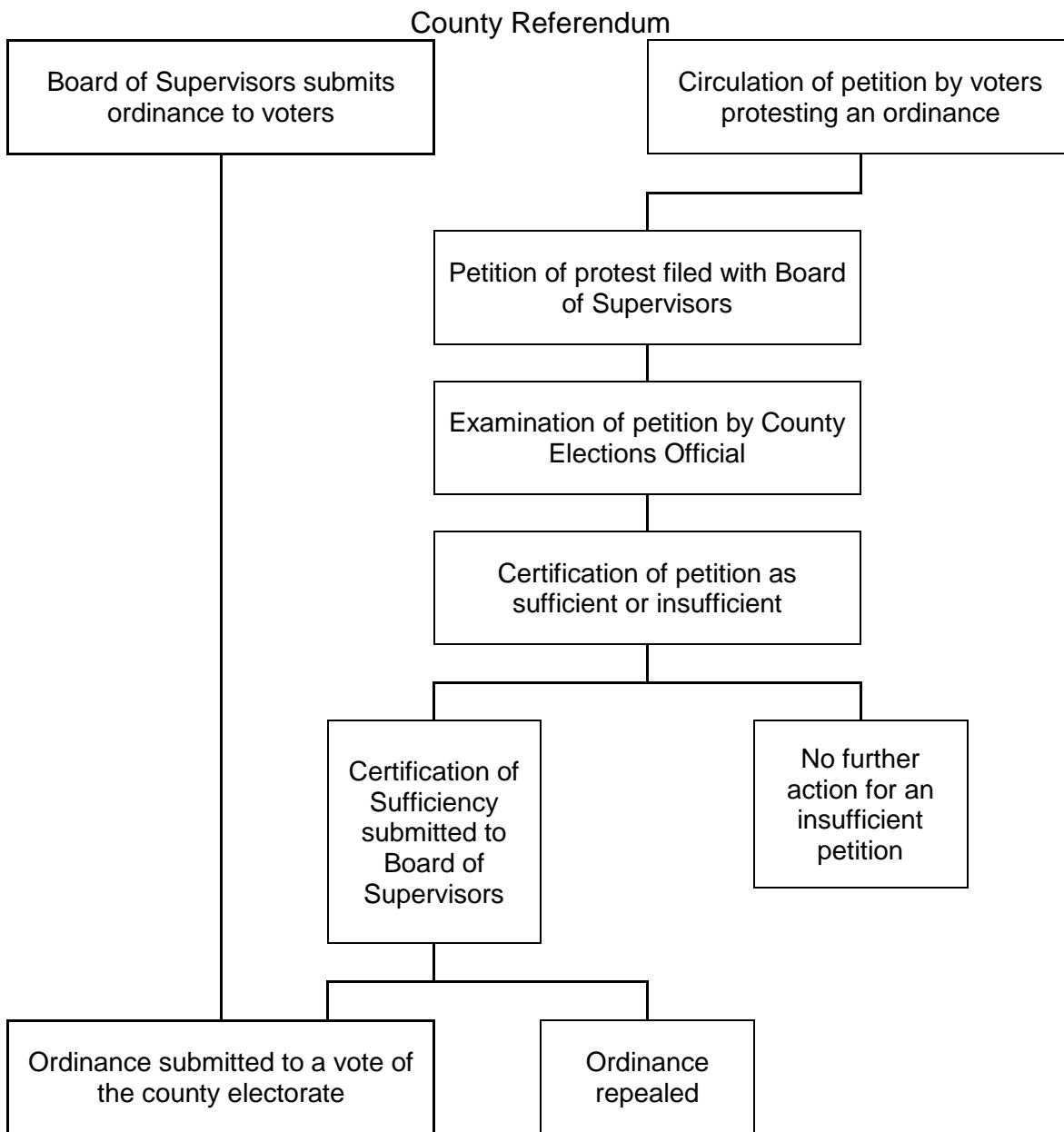


Exhibit H – Flowcharts (Cont.)



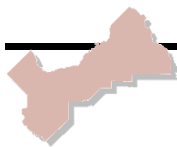


Exhibit H – Flowcharts (Cont.)

District Referendum

