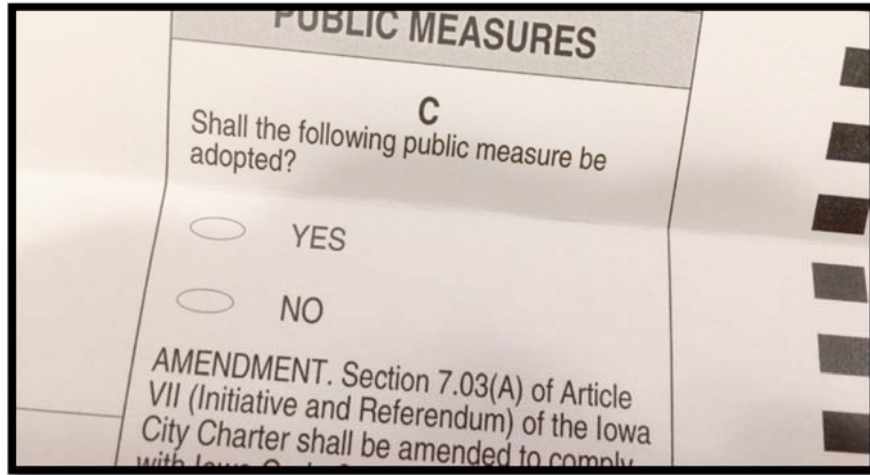


How to Place a Measure on the Ballot



A Guide for Governing Boards for the County, Cities, School Districts and Special Districts

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This guide was developed in an effort to provide answers to questions frequently asked by governing bodies regarding how to place a measure on the ballot. It is for general information only and does not have the force and effect of law, regulation or rule. In case of conflict, the law, regulation or rule will apply. Persons using this guide must bear full responsibility to make their own determinations as to all legal standards and duties.

General Information

A Measure is an ordinance, question, issue or charter amendment submitted to a vote of the people at any election. Local questions, issues, or amendments are referred to as “Measures”, while those that are voted upon statewide are called “Propositions”.

The information provided in this guide is applicable to the filing of Arguments and Rebuttals concerning County, School and District Measures in Merced County only. Arguments and/ or Rebuttals involving County, School and District Measures are filed with the Merced County Registrar of Voters office.

Arguments and/or Rebuttals relating to City Measures are filed with the City Clerk of the City involved. Specific information regarding requirements and due dates should be obtained from that City’s Clerk.

Individuals interested in State Propositions should contact the Secretary of State’s office, Elections Division, at (916) 657-2166 for further information.

Definition of Terms Used in This Guide

Argument - A 300 word statement IN FAVOR OF or AGAINST a Measure.

Author of an Argument – A Proponent of a Measure, an individual voter, a bona fide association of citizens, or any combination of bona fide associations and individual voters who write text of the Argument IN FAVOR OF or AGAINST a Measure.

Authorization for Signers – A form which needs to be completed by the Authors and filed with the Registrar of Voters if they wish to allow others to sign the Argument IN FAVOR OF or AGAINST a Measure on their behalf. For Rebuttal Arguments, the Signers of the Argument IN FAVOR OF or AGAINST a Measure may authorize others to sign. A Letter of Authorization may also be used for this purpose.

Bona Fide Association of Citizens – A recognized group of citizens bound together by a common interest or cause.

Committee – Any person or combination of persons who, directly or indirectly, receive contributions or make expenditures or contributions to support or oppose a Measure.

County Voter Information Guide – A guide mailed to each registered voter prior to an election. It contains information on candidates, measures, and instructions for voting. In addition, a sample of the ballot may be included.

Elections Official – The Merced County Registrar of Voters office.

Definition of Terms Used in This Guide – Cont.

Electoral Jurisdiction – The district or area in which the Measure will be voted upon.

Filer of an Argument IN FAVOR OF or AGAINST a Measure – The Author of the Argument or any person the Author authorizes to file the Argument.

Proponent of a Measure – A person or persons who initiate(s) the initiative petition process, and has control of the circulation and signature collection for the petition. The Proponent can also be the Merced County Board of Supervisors for a countywide Measure in this county. A Proponent of a Measure can author an Argument IN FAVOR of their sponsored Measure.

Public Review Period – Following the deadline for filing Arguments IN FAVOR OF or AGAINST a Measure, Rebuttal Arguments, Impartial Analysis, Fiscal Impact Statement and Tax Rate Statement, the public has 10 calendar days to review these documents at the Registrar of Voters' office.

Rebuttal Argument – A 250 word statement which refutes an Argument IN FAVOR OF or AGAINST a Measure.

Signature Statement – A form which must be submitted with each original Argument IN FAVOR OF or AGAINST and Rebuttal Argument to the Elections Official. It includes information on each Signer of the Argument.

Signer of Argument IN FAVOR OF or AGAINST a Measure – The Author of the Argument IN FAVOR OF or AGAINST a Measure or any person the Author authorizes in writing to sign the Argument.

Signer of the Rebuttal Argument – The signer of the Argument IN FAVOR OF or AGAINST a Measure unless the signer of the Argument IN FAVOR OF or AGAINST a Measure authorizes in writing another person to sign the Rebuttal Argument.

Writ of Mandate – A written order issued by a Superior Court commanding a public Official or body or a lower court to perform or cease to perform a specific duty or action.

What Needs to be Filed with Elections Division

1. The Resolution to Call the Election and Consolidate

Districts and Cities: Submit a "Resolution Requesting Consolidation of Election and Ordering of Such Election" along with the "Notice to Registrar of Voters of Measure Submitted to the Voters." Resolution must include statement on reimbursement for all election services.

County: Submit a "Resolution Requesting Consolidation of Election and Ordering of Such Election."

Schools: Submit the "Resolution Ordering Election, Specifications of the Election Order, and Requesting Consolidation" along with the "Notice to Registrar of Voters of Measure Submitted to the Voters." Resolution must include statement on reimbursement for all election services.

2. The Measure Text

We need clear instructions on what portion of the resolution or ordinance is considered the Full Text of the Ballot Measure to be printed in the Voter Information Guide for voters. There is no limit on the number of words that can be printed.

If you do not want any measure text printed in the Voter Information Guide, please provide this direction in writing within the resolution. In this case, instead of measure text, after the analysis of the measure, voters will be directed to contact the Elections Department for a copy of the text of the measure. Jurisdictions will be billed for costs.

To facilitate the work of the Elections office, we encourage submitting the measure text in a digital format (preferably a Word document), either by email or a jump drive.

3. The 75-Word Ballot Question

A ballot question must be no more than 75 words

[Elections Code §§13247 & 9051](#)

See page 8 on "Word Count Guidelines"

Jurisdictions may want to consider beginning their ballot question with a few key summary words to summarize the measure. The words will count toward the 75-word limit.

Measures are followed by the words "YES" and "NO."

School bond measures are followed by the words: "Bonds--Yes," "Bonds-- No."

[Education Code §15122](#)

School reorganization measures are followed by the words: "Reorganization of School Districts - Yes" and "Reorganization of School Districts - No." Similar words may be used.

[Education Code §35762](#)

Examples of ballot measure as it will appear on the ballot

Example with the first few words summarizing the measure in all caps and in bold.

MEASURES SUBMITTED TO THE VOTERS	
CITY	
CITY OF MERCED	
Z KEY WORD SUMMARY OF MEASURE. Followed by the ballot question. The total number of words, including the summary, may not exceed 75 words. Elections Code §13247	Yes
	No

Example of a ballot question without a few key words summarizing the measure.

MEASURES SUBMITTED TO THE VOTERS	
CITY	
CITY OF MERCED	
Z 75-word ballot question without a summary. Elections Code §13247	Yes
	No

Other attributes such as bullets, italics, underlining, and bolding beyond the title, are not permitted in the ballot question.

Assigning Letters to Measures

Measures will be assigned letters by the elections official in alphabetical order, starting with the next letter following the previous election. The order measures appear on the ballot is as follows:

- County Board of Education
- College
- Unified Schools
- High Schools
- Elementary Schools
- County
- Cities
- Districts

In order to allow for the most efficient use of space, the county elections official may vary the order of the measures. [Elections Code §13109](#)

Measures will be assigned through Z, or as close to the end of the alphabet as possible to accommodate all measures filed for the current election. For example, if the previous election ended with measure V, and five measures are on the next ballot, the measures will be assigned A, B, C, D, E rather than W, X, Y, Z, A. Letters are assigned on a first-submitted, first-assigned basis.

The elections official may commence designating local measures with any letter of the alphabet following letter "A" and continuing alphabetically, in order to avoid voter confusion that might result from different local measures carrying the same letter designation in successive elections. [Elections Code §13116](#)

For districts that overlap into other counties, the counties will mutually agree to use a letter designation for the measure that will not conflict or confuse the voter.

Arguments For or Against ballot measures

Whenever any local measure qualifies for placement on the ballot, written arguments in favor of or against the measure may be filed. Arguments are limited to 300 words.

Arguments will be printed in the County Voter Information Guide following the analysis of the measure. If more than one argument is submitted, the elections official will select one argument based on the following priority: 1) the governing body or members thereof, 2) an individual voter, bona fide association of citizens who are sponsors or proponents of the measure, 3) bona fide association of citizens, and 4) individual voters eligible to vote on the measure. [Elections Code §§9166, 9287 & 9503](#)

When both an argument in favor of and an argument against a measure have been filed, the authors may prepare and submit rebuttal arguments. Rebuttal arguments are limited to 250 words. [Elections Code §9504](#)

All arguments and rebuttals must be filed with the Signature Statement provided by the County Elections Official. Obtain the manual "Guide to Writing Arguments, Rebuttal and Analyses for Local Measures" from the Elections Department if you are planning on submitting an argument.

Other Ballot Materials

If arguments in favor and against are submitted, filers will have the opportunity to submit rebuttals. Rebuttals are limited to 250 words.

Impartial Analysis

An Impartial Analysis shall be submitted by County Counsel or the City Attorney, whichever is applicable.

[Elections Code §§9160, 9500, 9280 & 9313](#)

For water district measures, legal counsel for the district, or if there is no counsel, County Counsel, shall prepare the Impartial Analysis.

[Elections Code §9314](#)

The Impartial Analysis shall not exceed 500 words.

[Elections Code §§9160, 9280, 9313, 9314](#)

Fiscal Analysis

The Board of Supervisors may request the County Auditor, not later than 88 days prior to an election, prepare a fiscal analysis of a county measure. The fiscal impact statement shall not exceed 500 words.

[Elections Code §9160](#)

Tax Rate Statement

Bond measures, the security for which constitutes a lien on the property for ad valorem taxes within the jurisdiction, require a tax rate statement to be filed by the 88th day before the election. The statement shall be mailed with the County Voter Information Guide. A word limitation is not specified.

[Elections Code §§9400, 9401](#)

Word Count Guidelines

Pursuant to [Elections Code §9](#)

Each word is counted as one word except...

Punctuation: Punctuation is not counted.

Required Titles: Words used in the title of arguments, rebuttals, and analyses, such as "Argument in Favor of Measure A" are not counted. All words used in the 75-word ballot question are counted except for the letter designating the measure.

Proper Nouns & Geographical Names: All proper nouns, including geographical names, shall be counted as one word. For example, "Dos Palos-Oro Loma Joint Unified School District" shall be counted as one word.

Abbreviations: Each abbreviation for a word, phrase, or expression shall be counted as one word.

Hyphenations: Hyphenated words that appear in any generally available dictionary shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

Dates: Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting of only a combination of digits shall be counted as one word. January 1, 2000 shall be counted as two words, whereas 1/1/00 shall be counted as one word.

Numbers: Any number consisting of a digit or digits shall be considered as one word. Any number that is spelled, shall be considered as a separate word. "100" shall be counted as one word, whereas "one hundred" shall be counted as two words.

Phone & Internet: Web site addresses and telephone numbers shall be counted as one word.

Percent Signs (%), Number Signs (#), etc.: It is department policy to count numbers consisting of a digit or digits used with a dollar sign (\$), cent sign (¢), percentage sign (%), or number sign (#) as one word.

How to Raise or Spend Money

First	Download the Fair Political Practices Commissions' Manual 3 for ballot measure committees at http://www.fppc.ca.gov
Second	<p>File a Form 410 - Statement of Organization within 10 days of receiving \$2,000 in contributions. Include a \$50 payment made payable to the Secretary of State. Thereafter, the \$50 fee is due annually no later than January 15th. In addition to the \$50 fee, a penalty of \$150 may be assessed if payment is late.</p> <p>For early submissions, mark the "not yet qualified" box. The \$50 fee is requested at this time but is not legally required until the group qualifies as a committee.</p> <p>The committee's FPPC ID number will be posted at www.sos.ca.gov. Read instructions carefully as a Form 410 will be rejected if all applicable sections are not completed. All committees must now disclose the financial institution and bank account number used by the committee.</p> <p>The form is available online at http://www.fppc.ca.gov</p>
Third	<p>Be prepared to file a Form 460 (long form) for ballot measure committees that plan on raising or spending more than \$2,000. A Form 450 (short form) may be filed for committees that do not plan on raising or spending more than \$2,000.</p> <p>Pre-Election Statements and Semi-Annual Statements must be filed at certain times prior to the election and then semi-annually until the committee terminates. These reports detail your committee's contributions and expenditures. Know the deadlines and the type of forms you must file.</p> <p>For technical advice on completing the forms, contact the Fair Political Practices Commission 1102 Q St., Ste. 3000 Sacramento, CA 95811 General Contact: 916-322-5660 Advice Line: 1-866-ASK-FPPC (1-866-275-3772) Fax: 916-322-0886 Website: www.fppc.ca.gov</p>
FOURTH	File Forms 460 when applicable and 410 to terminate the committee upon completion of your efforts.

Campaign Disclosure Statement Requirements

The Political Reform Act requires all proponents of ballot measures and committees supporting or opposing ballot measures, to file campaign disclosure statements disclosing contributions received and expenditures made.

The statutory requirements of the Political Reform Act are now contained in the [Government Code §81000 et seq.](#) Information and assistance relating to campaign reporting obligations under the he Political Reform Act may be obtained from the Fair Political Practices Commission.

Committee Filing Responsibilities

It is the responsibility of the committee to be aware of and to file the required campaign disclosure statements in a correct and timely manner.

Where to File

The location in which campaign disclosure statements are to be filed depends entirely upon the jurisdiction where the committee is active.

When to File

Refer to the FPPC Filing Schedule by visiting www.fppc.ca.gov

Electronic Filing Requirements for Local Committees

Merced County Registrar of Voters now requires all committees that receive contributions or make expenditures totaling more than \$2,000 in a calendar year, to electronically file campaign disclosure statements. The County now has a web- based data entry filing system that allows committees to electronically create and submit campaign disclosure statements.

For the most updated information visit www.mercedelections.org

Fair Political Practices Commission

www.fppc.ca.gov

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