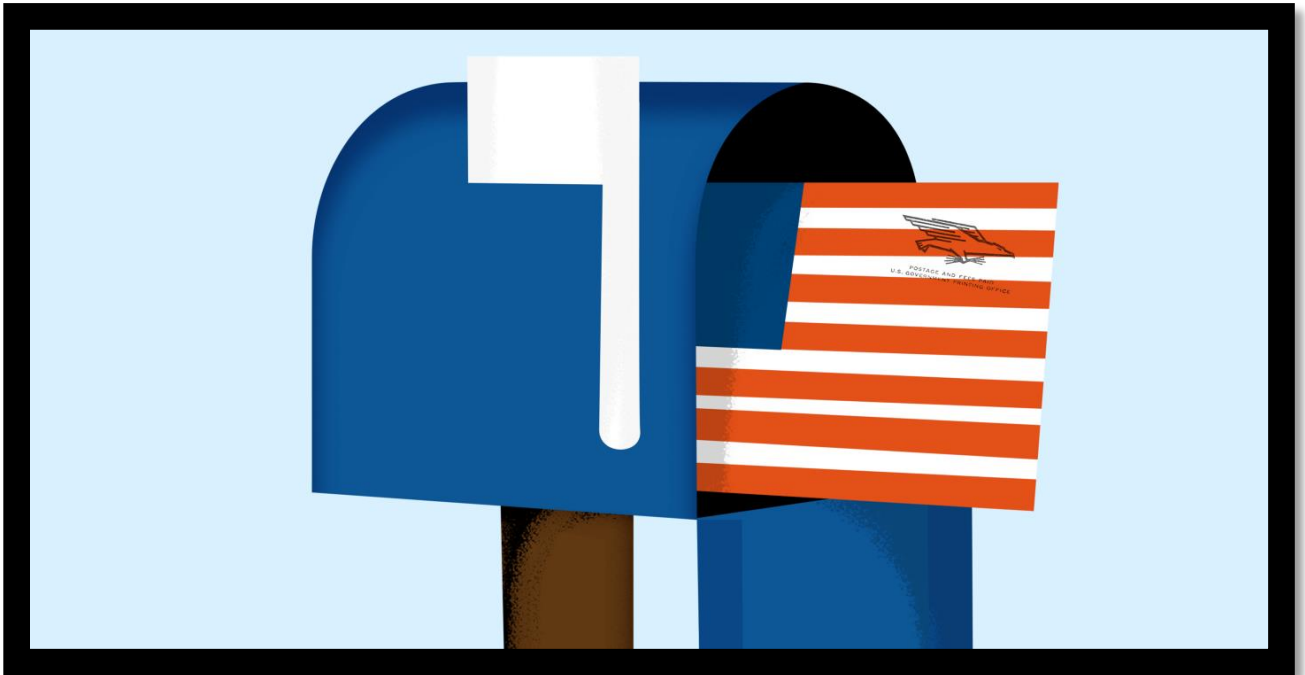




C O U N T Y

Candidate Handbook & Resource Guide



**Special Mail Ballot Election
November 2, 2021**

Darlene E. Ingersoll
Registrar of Voters

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MERCED COUNTY REGISTRAR OF VOTERS

2222 M Street, Merced, CA 95340
Phone: (209) 385-7541 Fax: (209) 385-7387

Dear Candidate,

This Candidate Handbook & Resource Guide is provided for general information to assist you in your candidacy. It includes a calendar of events and summary of provisions and filing requirements. It is not intended to provide legal advice and should not be substituted for legal counsel. In case of conflict, the law, regulation, or rule will apply.

Candidates and others using this handbook must bear full responsibility to make their own determination as to all local standards and duties. Thus, the references are provided for convenience only. Please note this office cannot provide advice. Individuals with questions concerning their own or other candidates' qualifications should seek the advice of an attorney regarding the applicable California laws pertaining to candidacy.

CODE REFERENCES made in this guide, unless otherwise stated, are to the California Constitution and Statutes. California legal codes referenced in this guide may include:

- Business and Professions Code (B&P)
- Education Code (ED)
- Elections Code (EC)
- Government Code (GC)
- Health and Safety Code (H&S)
- Insurance Code (IC)
- Penal Code (PC)
- Revenue and Taxation Code (R&T)

The term E-Date stands for Election Day. E-Dates have been used throughout this guide to indicate important dates and deadlines. These dates are the number of days prior to or after the election date.

Example: E-88 means 88 days prior to an election. E+28 means 28 days after an election.

Refer to the election calendar for guidance as to the actual date for any indicated E-Date.

The Registrar of Voters' staff is available to assist you throughout your candidate filing process. If you have questions please call: (209) 385-7541 or email: elections@countyofmerced.com

The Registrar of Voters office wishes you the best of luck in your election endeavors.

Darlene E. Ingersoll
Registrar of Voters

IMPORTANT INFORMATION

The Merced County Registrar of Voters Office appreciates notification of cases of alleged voter registration, petition or voter fraud; however, this office is NOT an enforcement agency and is therefore unable to investigate any violations.

In response to inquiries our office receives regarding possible election violations or fraud, the following is a list of resources regarding who to contact for the various types of violations:

- Merced County Community & Economic Development - (209) 385-7654
- Merced County District Attorney - (209) 385-7381
- False or misleading campaign materials - No agency enforcement; these issues are dealt with in court.
- Violations of the Political Reform Act (Title 9 of the California Government Code §§81000-91015), i.e. mass mailing requirements, slate mailers, campaign disclosure, proper use of campaign funds, disclosure of economic interests - Contact the Fair Political Practices Commission at (866) 275-3772 or www.fppc.ca.gov
- Election fraud - State issues, contact the California Secretary of State at (916) 657-2166 or elections@sos.ca.gov. Federal issues, contact the Federal Election Commission at (800) 424-9530 or the United States Department of Justice – Public Integrity Section at (202) 514-1412
- Unlawful use of public funds, violations of the Elections Code, the Penal Code, or any laws other than the Political Reform Act - Contact the Merced County District Attorney at (209) 385-7381, or the California State Attorney General at (800) 952-5225 or www.oag.ca.gov.
- Federal campaigns, e.g., U.S. Senate, House of Representatives, the President of the United States, etc. - Contact the Federal Election Commission at (800) 424-9530 or www.fec.gov.
- Open meeting laws (Brown Act) - Contact the California State Attorney General at (800) 952-5225 or www.oag.ca.gov.
- Local ordinances - Contact your local city attorney or Merced County District Attorney at (209) 385-7381.
- Requirements concerning campaign signs - Contact your local city clerk or zoning division.

FREQUENTLY ASKED QUESTIONS

1. Is your office open during lunch?

Yes. Office hours are 8:00 am to 5:00 pm, Monday through Friday, excluding county holidays.

2. What if I change my mind about being a candidate after filing nomination papers?

A candidate may withdraw until 5:00 pm on the last day of filing. [EC § 10510](#), [ED § 10603](#)

3. How soon will a final list of qualified candidates (with ballot designations, addresses and telephone numbers) be available after close of the nomination period?

A candidate list for schools and special districts will be posted daily on the Registrar of Voters website www.mercedelections.org. It is subject to change until completely verified after the close of the nomination period.

4. May I change or correct the wording or spelling on my candidate's statement after it has been filed?

No, you may not make any changes to your candidate's statement once it has been filed. Check your candidate's statement carefully before submitting. The statement is entirely the candidate's responsibility. [EC § 13307\(3\)](#)

5. If I file a candidate's statement of qualification, may I withdraw the statement?

The candidate's statement may be withdrawn, **but not changed**, during the period for filing nomination papers and until 5:00 pm of the next working day after the close of the nomination period. [EC § 13307\(3\)](#)

6. Can my spouse, friend or campaign manager pick up nomination documents for me?

Yes. An "Authorization Form" is available from the Registrar of Voters Office and is also available on the website at www.mercedelections.org. A letter signed by the candidate is also acceptable as long as it contains specific information:

- Candidate name
- Registered address
- Office sought
- The name of the person authorized to pick up the papers, and
- A statement that the candidate is aware the nomination papers must be received by the Registrar of Voters no later than the deadline.

If a candidate does not appear at the Registrar of Voters Office to take the "Oath of Office", the candidate must do so in front of a Notary Public.

7. Can my spouse, friend or campaign manager file my nomination documents, or can I mail them to you?

It is strongly advised that the candidate appear in person (**an appointment must be made**) to return the nomination papers. The signature of the candidate is required on many documents. If through an

oversight the nomination papers are incomplete, the problem can easily be rectified when a candidate files in person. It is not recommended that the nomination documents be mailed back. However, if mailed back, nomination documents must be received in our office by 5:00 pm on the close of the nomination period. **A postmark is not acceptable.**

8. I am unable to complete and file my campaign disclosure statement by the filing deadline. May I obtain an extension?

No. There is no provision in the Political Reform Act which permits any filing officer to extend a filing deadline. Statements, which are filed late, are subject to a fine of \$10.00 per day until the statement is filed.

CONTACT INFORMATION FOR CANDIDATES AND COMMITTEES

FILING OFFICER FOR DISCLOSURES:

Merced County
Registrar of Voters
2222 M Street
Merced, CA 95340
(209) 385-7541
(209) 385-7387 – FAX
www.mercedelections.org
elections@countyofmerced.com

OTHER RESOURCES:

SECRETARY OF STATE

Political Reform Division
1500 - 11th Street, 4th Floor, Room 495
Sacramento, CA 95814
(916) 653-6224
www.sos.ca.gov

FAIR POLITICAL PRACTICES COMMISSION

1102 Q Street, Suite 3000
Sacramento, CA 95811
(866) 275-3772
(916) 322-0886 – FAX
www.fppc.ca.gov

ADVICE LINE (866) 275-3772 *1

Monday – Thursday
9:00 am – 11:30 am

- Campaign Disclosure
- State Contribution Limits
- Proper Use of Campaign Funds
- Conflict of Interest Disclosure
- Conflict of Interest Disqualifications

ENFORCEMENT DIVISION - complaint@fppc.ca.gov

FEDERAL ELECTIONS COMMISSION

Federal Campaign Disclosure Requirements
(800) 424-9530
www.fec.gov

INTERNAL REVENUE SERVICE

Federal Tax Identification Number or Tax-Related Questions

(800) 829-1040

www.irs.gov

STATE FRANCHISE TAX BOARD

Committee Tax Status

Tax Deductible Contributions

Charitable Non-Profit Groups

Tax-Related Questions

(800) 852-5711

(800) 338-0505 – 24/7 Automated Number

www.ftb.ca.gov

CALIFORNIA CODES

www.leginfo.legislature.ca.gov

CANDIDATE FILING CHECKLIST

This checklist is for reference only and may not be fully inclusive of every requirement for office.

1. **Make an Appointment** Call (209) 385-7541 to schedule an appointment.
 - Provide your name and address – we must verify you are registered to vote in the district for the office you plan to run for.
 - Bring valid identification card to verify who you are.
 - Bring any campaign information (phone number, email address, website (if applicable))

2. **Nomination Documents**
 - a. Signatures In-Lieu of Filing Fee issued (if applicable)
 - b. Nomination Petition issued
 - c. Nonrefundable Filing Fee
If you are running for a Federal or State Office, the check is to be payable to:
Secretary of State “not to exceed _____”

If you are running for a local office, the check is to be payable to: “*Merced County Elections*”
 - d. Code of Fair Campaign Practices (optional)
 - e. Permission to Post your information on the Internet
 - f. Ballot Designation Worksheet
 - g. Declaration of Candidacy which includes:
 1. Name on Ballot (no title or degrees)
 2. Ballot Designation (55 characters max)
 3. Oath of office
 4. All other portions filled out and signed
 - h. FPPC Form 700 issued

3. **Candidate’s Statement of Qualifications** – payment and statement due at time of filing Nomination Petition. If nominations are satisfied with Signatures In-Lieu, the candidate statement of qualification is due at the time of filing for office.
 - a. Limited to 200 or 400 words (as determined by the district for local offices) or 250 words (state offices).
 - b. Bring a hardcopy and an electronic version in Microsoft Word (can be emailed)
 - c. Check or Money Order payable to “*Merced County Elections*” (when applicable)

4. **Campaign Financial Disclosure Requirements (FPPC): State and Local Candidate**
 - File FPPC Form 501 indicating your intention as a candidate. This must be filed before you raise or spend a single penny. Most local candidates file with local elections official, but state offices file with the Secretary of State.

- File FPPC Form 410 plus a \$50.00 check made out to the Secretary of State if your committee receives, raises and/or spends \$2,000 or more on your campaign. File the original and check with the Secretary of State. File a copy with Merced County Elections. For more information, Campaign Disclosure Manual 2 is available at www.fppc.ca.gov.
- File Form 460 multiple times during the campaign if you are raising or spending money.
- File Form 470 indicating either no committee or fund raising under \$2,000.
- File Form 497 24-hour Contribution Report due 24 hours of receiving or making contributions of \$1,000 or more.

5. Campaign Financial Disclosure Requirements: Federal Candidates

Contact Federal Election Commission at www.fec.gov for financial disclosure requirements or call toll-free (800) 424-9530 or mailing at 1050 First Street NE Washington, DC, 20463.

U.S. House of Representatives contact the House Committee on Ethics at <https://ethics.house.gov/>

CANDIDATE QUALIFICATIONS AND REQUIREMENTS

Unified School Districts

Summary

Nomination/Sponsors' Signatures	Not Applicable
Filing Fee	Not Applicable
Signatures In-Lieu	Not Applicable
Value Per Signature	Not Applicable
Candidate Statement Pre-Payment Required	Cost of Candidate Statement
Term of Office (Years)	To Fill Remaining Term
Term Begin Date	School Boards: A person elected to fill a position under this subdivision shall take office at the next regularly scheduled meeting of the governing board following the certification of the election and shall serve only until the end of the term of the position, which he or she was elected to fill.

Filing Periods

Declaration of Candidacy and Nomination Period (E-113 to E-88)	07/12/2021 to 08/06/2021
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All Candidates Must File:

Declaration of Candidacy

Candidate Statement and fee are due when you are issued your Declaration of Candidacy.

TERM OF OFFICE

Each person elected at a regular biennial governing board member election shall hold office for a term of four years commencing on the first Friday in December next succeeding his or her election. Any member of the governing board of a school district or community college district whose term has expired shall continue to discharge the duties of the office until his or her successor has qualified. The term of the successor shall begin upon the expiration of the term of his or her predecessor. [ED § 5017](#)

County Board of Education members shall be elected upon the same date and in the same manner as prescribed for members of governing boards of school districts. Members elected at the date on which members of school district boards are elected shall take office on the last Friday in November subsequent to their election. [ED § 1007](#)

QUALIFICATIONS

A Candidate for the County Board of Education may be any registered voter of the County except the County Superintendent of Schools or any member of their staff, or any employee of a school district that is within the jurisdiction of the County Board of Education. [ED § 1006](#)

A candidate for a school district shall:

- Be at least 18 years of age; and
- Be a citizen of the state; and
- Be a resident of the school district; and
- Be a registered voter; and
- Is not disqualified by the Constitution or laws of the state from holding a civil office.
- An employee of a school district may not be sworn into office as an elected or appointed member of that school district's governing board unless and until he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. [ED § 35107](#)

FILING REQUIREMENTS

Nomination Documents and Procedures

DECLARATION OF CANDIDACY

Each candidate is required to file a Declaration of Candidacy between 113 and 88 days prior to Election Day. The Declaration shall be obtained from the county elections official of the county in which the candidate resides and is a voter. The Declaration of Candidacy must be executed in the office of the elections official unless the candidate, in a written statement signed and dated by the candidate, designates a third party to obtain the Declaration from the county elections official and deliver it to the candidate. Such written statement shall state that the candidate is aware the Declaration must be properly executed and delivered to the county elections official from whom it was obtained not later than the close of business on the 88th day prior to the Election Day.

STATEMENT OF QUALIFICATIONS (OPTIONAL)

A candidate for local nonpartisan office may submit a statement of qualifications with no more than 200 words to be printed in the voter information portion of the county voter information guide. Statements must be filed at the same time nomination papers are filed and may be withdrawn, but not changed, until 5:00 p.m. the next regular business day after nominations

close. Statements are confidential until nominations (or extended nominations) close and then become public record.

Statements shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way refer to other candidates for that office or to another candidate's qualifications, character, or activities. [EC §§13307 13307.5, 13308, GC § 85601\(c\)](#)

VOLUNTARY CODE OF FAIR CAMPAIGN PRACTICES

At the time an individual files his or her Declaration of Candidacy, Nomination Petitions, or any other paper evidencing an intention to be a candidate for public office, the county elections official shall give the individual a copy of the Code of Fair Campaign Practices and a copy of the provisions of Ch. 5, Div. 20 of the Elections Code. [EC § 20440](#)

CAMPAIGN FILING REQUIREMENTS

For further information on Campaign Filing Requirements, please see the section "Campaign Filing Requirements" of this guide or please contact the Fair Political Practices Commission at:

- Phone: (916) 322-5660 or 1-866-ASK-FPPC (1-866-275-3772)
- Mailing: 1102 Q Street, Suite 3000, Sacramento, CA 95811
- Web: <http://www.fppc.ca.gov/>

NOTE: This summary of qualifications and requirements 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. The candidate should obtain the most up-to-date information available because of possible changes in law or procedure since the publication of this information.

WRITE-IN CANDIDATES

A person's name may only be written on the ballot as a write-in candidate for a voter-nominated office at a Primary Election. [EC §§ 8600, 8606](#)

A write-in candidate for a voter-nominated office from the Primary Election is eligible to have his or her name on the ballot in the General Election only if that candidate is one of the top-two getters at the Primary Election. There are no write-ins allowed for voter-nominated office contests in a General Election. [EC §§ 8142, 8605](#)

A person's name may be written on the ballot as a write-in candidate for nonpartisan offices for the Special Mail Ballot Election. [EC § 8600](#)

No fee or charge shall be required of a write-in candidate. [EC § 8604](#)

Every person who desires to be a write-in candidate **and** have his/her name written on the ballot of an election counted for a particular office shall file:

- a) A Statement of Write-in Candidacy that contains the following information:
 - (1) Candidate's name;
 - (2) Candidate's complete residence address, including street and number, if any;
 - (3) A declaration stating that he/she is a write-in candidate;
 - (4) The name of the office for which he/she is running;
 - (5) For voter-nominated offices, the candidate's 10-year political party preference history;
 - (6) The date of the election; and
 - (7) The party nomination which the candidate seeks, if running in a Presidential Primary Election. [EC § 8600\(a\)](#)

- b) The requisite number of signatures on the Nomination Papers, if any, required pursuant to section 8062, 10220 or 10510. [EC § 8600\(b\)](#)

A person's name may be written on the ballot as a write-in candidate for the office of Member, County Central Committee, a party-nominated office, at a Presidential Primary Election.

A person's name may be written on the ballot as a write-in candidate for the office of President of the United States, a party-nominated office, at the Presidential Primary General Elections.

The Statement of Write-in Candidacy form shall be available from the Registrar of Voters' office on **September 6, 2021** for candidates. The Statement of Write-in candidacy and Nomination Papers shall be delivered to the county elections official of the county in which the signers reside no later than the 14th day prior to the election, **October 19, 2021, 5:00 p.m.** [EC §§ 8604, 8650-8653](#)

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.

EC § 13107.3, Admin. Code § 20711

The Ballot Designation Worksheet shall be filed with the Registrar of Voters at the same time that the candidate files his/her Declaration of Candidacy.

EC § 13107.3, Admin. Code § 20711

The Ballot Designation Worksheet is public record and shall be available for inspection and copying.

If a candidate requests a change of his or her ballot designation pursuant to Elections Code § 13107(e), that request shall be accompanied by a new Ballot Designation Worksheet.

Admin. Code § 20711

IN THE EVENT THAT A CANDIDATE FAILS TO FILE A BALLOT DESIGNATION WORKSHEET, NO DESIGNATION SHALL APPEAR UNDER THE CANDIDATE'S NAME ON THE BALLOT.

EC § 13107.3

The purpose of the Ballot Designation Worksheet is for the candidate to give information to substantiate his/her Ballot Designation. **It must be completed in its entirety. Do not leave any response space blank.** The candidate signs this worksheet attesting that the Ballot Designation and the provided back-up information are accurate. **It is not the responsibility of the Registrar of Voters' staff to investigate if the facts indicated by the candidate are valid.** The Ballot Designation Worksheet is used as a back-up for his/her Ballot Designation in the event the Ballot Designation is challenged.

In the space provided on the Ballot Designation Worksheet, you must describe why you are entitled to use the proposed ballot designation. You may attach any documents or exhibits that you believe support your proposed ballot designation. If using the title of an elective office, you may attach a copy of your certificate of election or appointment. **DO NOT SUBMIT ORIGINALS.** These documents will not be returned to you.

If the proposed ballot designation includes the word "volunteer", indicate the title of your volunteer position and the name of any entity for which you volunteer along with a brief description of the type of volunteer work you do, and the approximate amount of time involved. **NOTE:** You may only use the ballot designation "Community Volunteer" if you do not have a principal profession, vocation, or occupation. You must volunteer for a 501(c)(3) charitable, educational, or religious organization, a governmental agency, or an educational institution.

REMEMBER: It is your responsibility to justify your proposed ballot designation and to provide all requested details.

In reviewing the nomination documents, the Registrar of Voters' staff will verify that the Ballot Designation meets the basic restrictions set forth in this section, such as the three-word limitation and the use of "Incumbent". If the designation is found to be in violation of any of the

restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents. EC § 13107(c)

The candidate shall, within three days from the date of receipt of the notice, excluding Saturdays, Sundays, and holidays, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide an alternate designation. **In the event the candidate fails to provide an alternate designation, no designation will appear after the candidate's name.** EC § 13107(c)(1)

In all cases, words so used shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements of Elections Code §§ 13207 and 13211, the elections official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.

Whenever a foreign language translation of a candidate's designation is required under the Voting Rights Act of 1965 (42 U.S.C. Sec 1971), as amended to appear on the ballot in addition to the English language version, it shall employ abbreviations and initials wherever possible in order to avoid undue length.

No Ballot Designation given a candidate shall be changed by the candidate after the final date for filing nomination documents, **August 6, 2021, 5:00 p.m.**, except as specifically requested by the elections official or mandated by the court to change an unacceptable designation. EC § 13107(d)

EXCEPTION: If a candidate does not file his/her Ballot Designation for a County office with the Registrar of Voters until the last day of Candidate Filing, **August 6, 2021**, the public may challenge that Ballot Designation in writing to the Registrar of Voters until the next business day **August 9, 2021, 5:00 p.m.** After that date, a challenge must be made with the court.

BALLOT DESIGNATION GUIDELINES

EC § 13107

SELECTING YOUR BALLOT DESIGNATION -The ballot designation describes the current profession, vocation, occupation or incumbency status of the candidate and will appear on the ballot under the candidate's name.

Ballot designations:

- 1) The listing of a designation on the ballot is OPTIONAL
- 2) Is a public record once the information is filed on the Declaration of Candidacy.
- 3) A ballot designation **cannot** be changed after the final date to file nomination documents, except as specifically requested by the elections official. EC § 13107 (d)

Only one of the following categories is allowed:

a) **Elective Office Title:** Words describing an elective office title may be used **IF** the candidate holds the office at the time nomination documents are filed and the office was filled by a vote of the people.

Example A: Governing Board Member

Example B: Board member, XYZ School District

b) **Incumbent:** The word **Incumbent** may be used **IF** the candidate is seeking re-election to the same office and was elected to that office by a vote of the people or was appointed as a nominated candidate in lieu of an election.

c) **Appointed Incumbent:** The words **Appointed Incumbent** must be used **IF** the candidate was appointed mid-term to the office and is seeking election to the same office. The word **Appointed** may also be used with the office title.

Example A: Appointed Incumbent

Example B: Appointed Board member, XYZ School District

Exception: Candidates appointed to office in lieu of an election **do not** have to use the word appointed.

4) **Principal Occupation:** No more than **three words** to either describe the current principal profession, vocation, or occupation of the candidate **or** the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. EC § 13107 (3)

Example A: High School Teacher

Example B: Attorney/Educator/Rancher

Example C: CEO/Councilmember

5) **Community Volunteer:** A Community Volunteer shall constitute a valid principal vocation or occupation subject to the following conditions:

a) A candidate's community volunteer activities constitute his or her principal profession, vocation or occupation.

b) A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation or occupation.

c) A candidate is not engaged concurrently in another principal profession, vocation or occupation. EC § 13107.5

6) **No Occupation Desired:** If no ballot designation is requested, write the word “NONE” and place your initials in the space provided for ballot designation on the Declaration of Candidacy form. The space provided for your ballot designation on the official ballot, will be blank.

FORMAT OF BALLOT DESIGNATION – Ballot designations selected which exceed space allotted on the ballot (approximately 60 characters) are printed in a smaller typeface. [EC § 13107 \(f\)](#)

TRANSLATIONS – Whenever a foreign language translation is required it shall be as short as possible and shall employ abbreviations wherever possible to avoid undue length. [EC § 13107 \(g\)](#)

RESTRICTIONS: The rules governing ballot designations can be the subject of confusion. The California Secretary of State’s ballot designation regulations are available upon request.

BALLOT DESIGNATION WORKSHEET – A Ballot Designation Worksheet that supports the use of that ballot designation **is required to be filed** with the Election Official at the same time as the Declaration of Candidacy. If a candidate fails to file a Ballot Designation Worksheet, no designation will appear on the ballot. [EC § 13107.3](#)

REJECTION OF BALLOT DESIGNATION – If the designation is in violation of any of the restrictions set forth in California Elections Code, the candidate will be notified by phone and by registered or certified mail with a return receipt requested, addressed to the mailing address appearing on the candidates’ ballot designation worksheet. If an alternative designation is not provided within the time allowed, no designation will appear on the ballot. [EC § 13107 \(c\)](#)

UNACCEPTABLE DESIGNATIONS - Pursuant to [EC § 13107\(b\)](#), the elections official shall not accept a ballot designation if:

- a. It would mislead the voter.
- b. It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
- c. It abbreviates the word “retired” or places it following any word(s) that it modifies.

Unacceptable:

Ret. Policeman
Policeman, Retired

It uses a word or prefix, such as “former” or “ex-,” which means a prior status.

Unacceptable:

Former Policeman
Ex Policeman

The only exception is the use of the word “retired.”

Acceptable:

Retired Policeman

- d. It includes the name of any political party, whether or not it has qualified for the ballot.
- e. It uses a word or words referring to a racial, religious or ethnic group.
- f. It refers to any activity that is prohibited by law.

GUIDELINES FOR ACCEPTABLE BALLOT DESIGNATIONS (BASIC TEST):

- a. Is it true?
- b. Is it accurate?
- c. Does it mislead?

- d. Is it generic? (This means “IBM” is unacceptable, “Computer Company” is acceptable.)
- e. Is it neutral? (This means not for or against)
- f. Is it how this person makes a living?

Candidates may review their own ballot designation, as well as that of other candidates, in this office during working hours. **(Excluding Saturdays, Sundays and Holidays)** If you have any questions regarding the nomination procedures, please call the Election Division at (209) 385-7541.

FALSE OR MISLEADING INFORMATION TO VOTERS

No candidate shall, in his occupational designation on the ballot, assume a designation that would mislead the voters. [EC § 13107 \(b\) \(1\)](#)

Every candidate is guilty of a misdemeanor who pretends or implies that he/she is an incumbent of a public office or that he/she has acted in the capacity of a public officer when this is not the case. [EC § 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. [EC § 18351](#)

Every simulated ballot shall bear a printed notice (see [EC § 20009](#) for details) stating that this is not an official ballot but rather an unofficial marked ballot prepared by (name and address of person or organization responsible); no official seal or insignia may appear on the envelope in which it is contained.

Every person is guilty of a misdemeanor who distributes, or causes to be distributed, literature to voters that includes a designation of a voter’s polling place other than the precinct-polling place listed for the voter in the latest official precinct-polling list at some time not more than 30 days prior to such distribution.

[EC § 18302](#)

FAIR CAMPAIGN PRACTICES

Government Code, Title 9 - Political Reform

Article 1. General Intent

[EC § 20400](#) 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

[EC § 20420](#) As used in this chapter, “Code” means the Code of Fair Campaign Practices.

Article 3. Code of Fair Campaign Practices

[EC § 20440](#) 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 defined in [GC § 82031](#), 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, as shown on the Code of Fair Campaign Practices) of the Government Code, an initial campaign statement on behalf of the committee.

[EC § 20441](#) The Secretary of State shall print, or cause to be printed, blank forms of the code. The Secretary of State shall supply the forms to the elections officials in quantities and at times requested by the elections officials.

[EC § 20442](#) 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.

[EC § 20443](#) Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

[EC § 20444](#) In no event shall a candidate for public office be required to subscribe to or endorse the code.

Candidate Statement Costs for the November 2, 2021 Election by District

Los Banos Unified School District Area #1	\$ 475.00
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CANDIDATE STATEMENT OF QUALIFICATIONS GUIDELINES

[EC §§ 9, 13307, 13308, 13312, 18351](#)

The candidate's statement is a **voluntary statement** for candidates seeking Voter Nominated and local Non-Partisan elective offices when applicable.

The local agency determines the word limit and who will bear the prorated share of the cost of printing and handling of the candidate's statement for the jurisdiction.

1. CONTENTS

The statement may contain the name, age and occupation of the candidate and a description of the candidate's education, personal background and qualifications.

The name, age and occupation at the top of the candidate statement form are not included in the word count.

Each statement shall be accompanied by a declaration executed under penalty of perjury, declaring that the information contained therein is true and correct.

2. FORMAT AND WORD COUNT

In order to insure uniformity of candidates' statements, the candidate must prepare the statement as follows:

- a. Submit a typed or word-processed copy only, no more than 200 words. Congressional, Senatorial, or Assembly candidate statement no more than 250 words. Senatorial and Assembly candidates must accept the voluntary expenditure ceiling - see Form 501. Hand written statements are not acceptable.
- b. The statement may include the name, age, and occupation of the candidate and a brief description, of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.
- c. In addition to the restrictions set forth above, any candidate's statement submitted pursuant to [EC § 13307](#) shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way refer to other candidates for that office or to another candidate's qualifications, character, or activities. The elections official 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. [EC § 13308](#)
- d. Submit statement in **block paragraph** form. The statement will be set with **both left and right justified margins**. Multiple single sentence paragraphs that do not fit in the space will be wrapped. Indented text will be run together as a sentence.
- e. Statements shall be written in the first person (e.g. "I am running..." not "She is running..." or "Jane Doe is running...")
- f. Only standard use of capital letters will be accepted. No statement will be printed in "ALL CAPS".

- g. All regularly hyphenated words that appear in any generally available dictionary published within 10 years preceding the election will be counted as one word.
- h. Check the statement for errors in spelling, punctuation, and grammar. No corrections **on the candidate statement** will be allowed after the candidate has filed their nomination documents. EC § 13307 (3)
- i. Statements will be printed in the base random alphabet order used for placement of candidates' names on the official ballot. Statement order does not change.

3. EMAIL CANDIDATE STATEMENT

- a. If the candidate emails their candidates' statements, it **MUST** be emailed to the Elections Department **PRIOR** to filing nomination/declaration of candidacy. The Merced County Elections Department will accept candidate statements by email at elections@countyofmerced.com.
- b. The candidate statement will be prepared for the voter pamphlet upon confirmation that the candidate statement has been paid and filed, based upon the provisions established for the applicable contest.
- c. Absolutely no corrections or changes are allowed after the candidate statement has been officially filed. EC § 13307 (3)

4. PROVISION

In the case where a candidate submits a statement that is not in conformance with guidelines provided, such statement will be reformatted and set in uniform type by the elections official.

5. LIABILITY

Nothing in this section shall be deemed to make any such statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in the County Voter Information Guide. EC §§13307 (d), 18351

6. CONFIDENTIALITY

The candidates' statements shall remain confidential until after the expiration of the filing deadline. EC § 13311

7. WITHDRAWAL

The candidate statement may be withdrawn, **but NOT changed**, until 5:00 p.m. on the next business day after the close of the nomination/filing period for the office sought. EC § 13307 (a) (3)

8. EXAMINATION PERIOD

After the deadline for filing nomination papers, anyone may examine any candidate's statement and may purchase copies thereof. During a 10-calendar day period commencing the day after the close of nomination, 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 a candidates' statement to be amended or deleted. EC § 13313

9. ESTIMATED COST

The estimates quoted are based on one statement per candidate in English and Spanish.

Candidates are **required** to prepay the estimated cost and will either be billed for the additional cost or refunded any overpayment following the election. Actual costs may vary substantially, depending on the number of eligible voters in a particular contest.

EXAMPLES OF CANDIDATES STATEMENTS OF QUALIFICATIONS

UNACCEPTABLE FORMATS:

(Will not be accepted by the Registrar of Voters)

STATEMENT OF CANDIDATE FOR GOVERNING BOARD MEMBER

Fred Businessman

Occupation: **HEALTH & HUMAN SERVICES DIRECTOR**

My education and qualifications are: I have lived in the town of Loomis for **55 years**. I know the area well and the need of the community. I have served in the **United States Air Force for 12 years**.

I am a graduate of **Harvard University** with a B.A. in engineering.

I will lower taxes.

I will work on better education and health care.

I will get involved in the community affairs.

I believe that I am the **BEST** person for this position. If you elect me I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention. Unlike my opponent, I will not disgrace the office and will listen to the needs of the people.

Elect Fred for results.

ACCEPTABLE FORMATS:

STATEMENT OF CANDIDATE FOR GOVERNING BOARD MEMBER

FRED BUSINESSMAN

Occupation: Health & Human Services Director

My education and qualifications are: I have lived in the town of Loomis for 55 years. I know the area well and the needs of the community. I have served in the United States Air Force for 12 years.

I am a graduate of Harvard University with a B.A. in engineering.

I will lower taxes, I will work better on education and healthcare. I will get involved in community affairs.

I believe that I am the best person for this position. If you elect me, I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention. I will not disgrace the office and will listen to the needs of the people.

Elect Fred for results.

EXAMPLES OF CANDIDATES STATEMENTS OF QUALIFICATIONS

UNACCEPTABLE FORMATS:

STATEMENT OF CANDIDATE FOR COUNTY SUPERVISOR

Margaret Businesswoman

Occupation: SALES REPRESENTATIVE

My education and qualifications: I have lived in the area for 10 years and I love this community. I want to get involved in community affairs. I believe that I am the **better** person for this position. I will work harder than the **incumbent JANE DOE**. I will not take advantage of my position for financial gain. If you elect me, I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention. I will fight to protect wildlife in the area. Let's get back on the right track, elect me and I will get the job done right.

I have lots of experience and I am willing to use all of this experience and all of my training and education to do the best job that I can.

ELECT MARGARET FOR THE BEST RESULTS!!!!!!

ACCEPTABLE FORMATS:

STATEMENT OF CANDIDATE FOR COUNTY SUPERVISOR

MARGARET BUSINESSWOMAN

Occupation: Sales Representative

My education and qualifications: I have lived in the area for 10 years and I love this community. I want to get involved in community affairs. I believe that I am the better person for this position. I will work hard for the constituents of Merced County and not take advantage of my position for financial gain. If you elect me I promise that I will dedicate all of my spare time to fulfilling the requirements of this position and pushing forward the special projects that are in desperate need of my time and attention. I will fight to protect wildlife in the area. Let's get back on the right track, elect me and I will get the job done right.

I have lots of experience and I am willing to use all of this experience and all of my training and education to do the best job that I can.

Elect Margaret for best results!

WORD COUNT GUIDELINES FOR CANDIDATE STATEMENT AND MEASURE ARGUMENTS

EC § 9

The following are the guidelines for computing the word count for measures and candidate statements.

Dictionary words	one word
Words like: “a”, “the”, “and”, “an”	one word
Abbreviations – UCMERCED, PTA	one word
Abbreviations - U.C.M., P.T.A.	one word
All proper nouns (people, places and things), including geographical names. Examples: County of Merced, Merced Community College District, Merced Unified School District, Bay Regional Park District, Bay Area Rapid Transit District. Merced County Fire Protection District Yosemite National Park Merced High School School Facilities Improvement District No.1 Bay Area	one word
Whole Numbers - Digits (1 - 10 - 100, etc.) Spelled out numbers - One Hundred, Ten Thousand	one word one for each word
Number combinations (1990, 1990-1991, 100%)	one word
Dates	one word
Monetary amounts: If the dollar sign is used with figures - \$1,000 Spelled out (one thousand dollars)	one word three words
Hyphenated words: That appears 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. Online dictionaries do not apply. (Grammar rules do not apply)	one word
Normal punctuation	not counted
Telephone Numbers	one word
Website Addresses (i.e. www.com.etc)	one word
If measure designation (example: Measure “A”) is used in the text	one word

November 2, 2021 SPECIAL MAIL BALLOT ELECTION - CALENDAR OF EVENTS

Below the dates, "E" stands for Election Day, followed by the number of days prior to (-) or after (+) Election Day.

Asterisk (*) dates indicate that the deadline falls on a Saturday, Sunday, or a holiday; in most cases, the deadline will move forward to the next business day.

Dates and events exclusive to candidate filing are posted in blue.

<p>June 30, 2021 E-125</p>	<p>Jurisdictional Boundary Changes Deadline Last day for jurisdictions consolidating their elections to file boundary changes with the county elections official. EC § 12262</p>
<p>July 12, 2021 August 6, 2021 E-113 to E-88</p>	<p>Candidate Filing Period – Declaration of Candidacy & Nomination Documents During this period, candidates may obtain and file their Declaration of Candidacy and Nomination Documents with the Merced County Elections Office. EC § 8020</p>
<p>July 12, 2021 August 6, 2021 E-113 to E-88</p>	<p>Candidate Statement of Qualifications Filing Period Between these dates, candidates may prepare a Candidate Statement of Qualifications on a form provided by the Merced County Registrar of Voters to be printed in the Voter Information Guide. The statement shall not exceed 200 words (250 if a state legislative office) and the candidate will be required to pay the predetermined advance payment. The statement shall be filed in an electronic format and advance payment made at the time nomination documents are returned for filing. The statement may be withdrawn, but not changed, during the period for filing nomination documents and until 5:00 p.m. of the next working day after the close of the nomination period. In addition to the restrictions set forth in §13307, any candidate's statement submitted shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way refer to other candidates for that office or to another candidate's qualifications, character, or activities. The elections official 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. EC §§ 13307 & 13308</p>
<p>August 2, 2021 E-92</p>	<p>Campaign Disclosure – Semi-Annual Reporting Deadline Last day to file semi-annual campaign disclosure statements, if required, by all candidates and committees for the period ending June 30, 2021. GC §§ 84200 & 84218</p>
<p>August 6, 2021 E-88</p>	<p>Candidate Filing – 5:00 p.m. Deadline Last day for candidates to obtain and file their Declaration of Candidacy, Nomination Documents, Candidate Statements of Qualifications, Statements of Economic Interests-Form 700 by the 5:00 p.m. deadline. EC §§ 8020, 10603, & 13307, GC § 87200 et seq</p>
<p>August 6, 2021 E-88</p>	<p>Consolidation of Election – Final Submission of Resolutions Final deadline for local jurisdictions to submit the resolution to consolidate their election with the November 2, 2021 Special Mail Ballot Election and submit any measure text and a 75-word ballot question. EC §§ 10403, 10403.5, 10401 & 13247</p>

<p>August 12, 2021 E-82</p>	<p>Candidate Name Placement – Randomized Alphabet Drawing The Secretary of State shall conduct a drawing of the letters of the alphabet to determine the order of the names of the candidates to appear on the ballot. The resulting random order of letters constitutes the alphabet for all offices other than multi-county state legislative offices. In addition, and only if applicable, the candidate’s names will be rotated pursuant to EC § 13111. For candidates for multi-county state legislative offices, the county elections official shall conduct a randomized alphabet drawing. EC § 13112</p>
<p>August 26, 2021 E-68</p>	<p>Certified List of Candidates Deadline Last day for the Registrar of Voters to transmit the certified list of candidates. EC §§ 8148, 8149 & 13111</p>
<p>September 3, 2021 October 26, 2021 E-60 to E-7</p>	<p>Military and Overseas Voters (Vote by Mail Applications) The first day county elections officials may process applications for military and overseas voters’ ballots. The application must include the statement that the voter cannot vote a vote by mail ballot during the normal vote by mail voting period because of military or other contingencies that preclude normal mail delivery. EC §§ 300(b) & 3103</p>
<p>September 6, 2021 E-57</p>	<p style="text-align: center;">County Holiday (Labor Day) – Office Closed</p>
<p>September 6, 2021 October 19, 2021 E-57 to E-14</p>	<p>Write-In Candidate Filing Period All non-presidential write-in candidates who desire to have his or her votes counted for a particular office must file a Statement of Write-In Candidacy along with the requisite number of signatures, if any, for such office. Nomination documents for write-in candidacy may be obtained from and delivered to the Merced County Registrar of Voters between the 57th day and 14th day prior to the election. EC § 8601</p>
<p>September 23, 2021 E-40</p>	<p>Campaign Disclosure – 1st Pre-Election Reporting Last day for candidates and committees to file campaign disclosure statements covering the period 07/01/21 – 09/18/21. GC §§ 84200.5 & 84200.7</p>
<p>October 4, 2021 October 23, 2021* E-29 to E-10</p>	<p>County Voter Information Guide Mailing Period During this period, voters receive their Voter Information Guide that will be enclosed inside the Vote by Mail packet EC §§ 13300 & 13304</p>
<p>October 4, 2021 October 23, 2021* E-29 to E-10</p>	<p>Vote by Mail Ballots No later than this date, county elections officials shall begin mailing each registered voter a vote by mail ballot. All registered voters will receive a vote by mail ballot. Any voter registrations received after this date will also receive a vote by mail ballot. EC § 4005</p>
<p>October 12, 2021 E-21</p>	<p>Processing Vote by Mail Ballots First day the Merced County Registrar of Voters may begin to process (open, prepare and tabulate) vote by mail ballots for the upcoming election. No results of ballot tabulation may be released until the polls close on election day. EC § 15101</p>

<p>October 18, 2021 E-15</p>	<p>Last Day to Register to Vote Closing date for any qualified elector to register or re-register to vote in the upcoming election. A person, who has moved, changed his or her name or wishes to change political party preference, must re-register by this date. A properly executed registration shall be deemed effective upon receipt of the form by the Merced County Registrar of Voters if any of the following apply:</p> <ul style="list-style-type: none"> • The affidavit is postmarked on or before the 15th day prior to the election and received by mail by the Merced County Registrar of Voters. • The affidavit is submitted to the Department of Motor Vehicles or accepted by any other public agency designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. §1973gg) on or before the 15th day prior to the election. • The affidavit is delivered to the Merced County Registrar of Voters by means other than those described in paragraphs (2) and (3) on or before the 15th day prior to the election. <p>EC §§ 2102, 2106, 2115, 2116 & 2152</p>
<p>October 19, 2021 E-14</p>	<p>Write-In Candidate Filing – Deadline Last day to file Statement of Write-in Candidacy and nomination documents by 5:00 p.m. EC § 8601</p>
<p>October 19, 2021 November 2, 2021 E-14 to E-0</p>	<p>New Residents Registrations for new residents and citizens shall begin the 14th day prior to an election and end on the 7th day prior to election day. This registration must be executed in the Merced County Registrar of Voters, and the new resident shall vote a new resident’s ballot in that office. The new resident is eligible to vote for President and Vice-President and no other office. EC §§ 332 & 3400</p>
<p>October 19, 2021 November 2, 2021 E-14 to E-0</p>	<p>Conditional Voter Registration Voters may register and vote a conditional ballot during the 14 days prior to the election, including Election Day. Conditional Voter Registration is available at the Merced County Registrar of Voters or a Vote Center located within Merced County. EC § 2170</p>
<p>October 19, 2021 November 2, 2021 E-14 to E-0</p>	<p>New Citizens A new citizen registering to vote after the close of registration shall provide the Merced County Registrar of Voters with proof of citizenship prior to voting, and shall declare that he or she has established residency in California. New citizens vote a regular ballot. EC §§ 331, 3500 & 3501</p>
<p>October 21, 2021 E-12</p>	<p>Campaign Disclosure – Second Pre-Election Reporting Last day for candidates and committees to file campaign disclosure statements covering the period 09/19/21 – 10/16/21. GC §§ 84200.5 & 84200.7</p>
<p>October 23, 2021* E-10</p>	<p>Notice of Central Counting Place Last day for the county elections official to submit a notice for legal publication specifying the public place to be used to tally votes when ballots are to be counted in a central counting place. The notice shall be published one time, no later than 10 days before the election. EC §12109</p>

<p>October 23, 2021* November 2, 2021 E-10 to E-0</p>	<p>Vote by Mail Ballots – Late Conditions On or between these dates, any voter may apply in person to obtain a vote by mail ballot from the Merced County Registrar of Voters. Voters unable to request a ballot in person may designate, in writing, any person as an authorized representative to obtain and return the vote by mail ballot on their behalf. EC § 3021</p>
<p>November 2, 2021 E-0</p>	<p>Election Day Results are posted online at www.mercedelections.org.</p>
<p>November 3, 2021 E+1</p>	<p>Official Canvass The county elections official will begin the tasks of the official canvass. EC §§ 335.5, 15301, 15302 & 15360</p>
<p>December 2, 2021 E+30</p>	<p>Completion of Official Canvass & Certify Results No later than this date, the county elections official must complete the official canvass, certify the results, and submit it to the Board of Supervisors and to each jurisdiction that consolidated their election on the primary ballot. EC §§ 15372 & 15400</p>
<p>December 3, 2021 E+31</p>	<p>Certificate of Election Approximately on this date, the elections official shall prepare and deliver to each person elected or nominated, a certificate of election or nomination signed by the elections official. EC § 15401</p>
<p>Within 30 Days of Assuming Office</p>	<p>Statement of Economic Interests (Form 700) – All Newly Elected Officials All newly elected officials must complete and file a Statement of Economic Interests (Form 700) within 30 days of assuming office. GC § 87200 et seq.</p>

IMPORTANT INFORMATION

There have been changes and improvements to the Candidate Filing process. Please read the information on the following subjects before continuing through this handbook.

1. Candidate Filing Portal;
2. Schedule an appointment to complete candidate filing; and
3. Supplemental Signatures-In-Lieu can no longer be filed;
4. Character-Based Name Form;
5. Electronic Candidate's Statements

Candidate Filing Portal:

A custom online Candidate Filing feature on the Merced County Registrar of Voters' website will be available on July 12, 2021.

This portal allows candidates to start the Candidate Filing process by submitting their information electronically on our portal. Then Merced County Registrar of Voters staff will verify the candidate's eligibility for the office requested. Any nomination document then would be transferred to a candidate via email. Our office will provide the candidate with all the documents required to be completed and submitted in person to our office.

This service will benefit you, the candidate. Candidate Filing cannot be totally completed online due to State law, but it should make your filing process simpler and easier to understand. Benefits to the candidate include:

- The Filing Fee and Candidates Statement of Qualifications deposit may be paid by check or money order;
- Signature-in-Lieu of Filing Fee Petitions and Nomination Papers may be downloaded and circulated prior to candidates filing these documents at the Registrar of Voters' office;
- Draft Candidates' Statements of Qualifications may be electronically submitted, allowing Registrar of Voters' staff to format the statements prior to the candidates coming to the office to sign the final documents. Formatting statements is time consuming; by submitting their statements online, candidates will reduce their time spent at the Registrar of Voters' office; and
- The Ballot Designation Worksheet, Code of Fair Campaign Practices Form, and Campaign Finance Reporting forms may be downloaded prior to candidates filing them at the Registrar of Voters' office.

MERCED COUNTY REGISTRAR OF VOTERS ELECTRONIC FILING SYSTEM (EFS)

PUBLIC ACCESS PORTAL- GET STARTED NOW!

The Public Access Portal contains financial information provided by candidates and committees. It can answer questions about who is contributing money, who is receiving money, and how it is being spent.

Use the Public Access Portal to research campaign contributions and expenditures, review campaign statements filed by the candidates, or examine a committee's filing history.

FILER ACCESS PORTAL – GET STARTED NOW!

The Filer Access Portal is a web-based, data entry filing system that allows candidates and campaign committees to submit disclosure reports mandated by California's Political Reform Act. The Electronic Filing System is free of charge.

Use the Filer Access Portal to create electronic campaign statements. Before you begin you must have received your Electronic Filing System filer identification number and password. To get filer identification number and password for your committee, call the Merced County Elections office at (209) 385-7541. Hours: Monday through Friday 8:00 am to 5:00 pm.

FILING REMINDERS:

Although this office is precluded from providing legal advice on matters of campaign filing, we can offer simple tips that will expedite the process:

- Make an appointment
- File early
- Review this guide in its entirety

CAMPAIGN DISCLOSURE INFORMATION

The Political Reform Act requires candidate to file campaign statements disclosing contributions received and expenditures made. The statutory requirements of the Political Reform Act are contained in Sections 81000-91015 of the California Government Code and enforced by the Fair Political Practices Commission (FPPC).

You may contact the Technical Assistance Division of the Fair Political Practices Commission at the following: **1102 Q Street, Suite 3000, Sacramento, CA 95811; (916) 322-5660, 1(800) ASK-FPPC; www.fppc.ca.gov**

Summary of Disclosure Forms

Form Name	Description
Form 501 Candidate Intention	Basic form that must be filed prior to soliciting or receiving any contributions.
Form 410 Statement of Organization	To organize a committee and obtain a Committee ID Number from the state. Form 410 must be filed within 10 days of receiving \$2,000 in contributions.
Form 460 Recipient Committee Campaign Statement	For use by candidate or officeholder who has formed 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 an election to office, or holding office.
Form 470 Candidate and Office Holder Campaign Statement Short Form	This form is used by candidates who do not have controlled committee, and do not anticipate raising or spending \$2,000 or more in a calendar year. If Form 470 is filed on or before the deadline for the first pre-election campaign statement, no additional campaign statement need be filed in connection with the election so long as total receipts/expenditures remain less than \$2,000.
Form 470 Supplement	A candidate who filed Form 470 in connection with an election and subsequently receives contributions or makes expenditures totaling \$2,000 or more is required to file this form.
Form 496 Late Independent Expenditure Report	Any committee that makes independent expenditures totaling \$1,000 or more to support or oppose a single candidate or single ballot measure during the 16 days immediately prior to the election in which the candidate or measure is being voted must file a report within 24 hours of the expenditure.
Form 497 Late Contribution Report	Any committee that makes or receives a late contribution totaling \$1,000 or more from a single source during the 16 days immediately prior to the election in which the candidate or measure is to be voted must file a report within 24 hours of the time the contribution was made or received.

Filing Requirements

In addition to the election-specific filing listed, all candidates with qualified committees are required to file semi-annual campaign statements no later than July 31st and January 31st.

Tax ID Numbers

Some banks may require a committee to obtain a Tax ID Number before opening an account. Please contact the Internal Revenue Service for further details. You may apply for ID number using IRS Form SS-4.

Please note that the Committee ID Numbers issued to you by the Secretary of State is separate and distinct from the Tax ID Number you may obtain from the IRS. The two numbers are not interchangeable.

ALL CANDIDATES ARE REQUIRED TO FILE CAMPAIGN DISCLOSURE STATEMENTS

For detailed information on Campaign Disclosure Statements, see Campaign Disclosure Manual 1 or 2. The manuals are prepared by the Fair Political Practices Commission, and can be found on its website at www.fppc.ca.gov.

Any individual who intends to be a candidate for elective office shall file a Candidate Intention Statement (Form 501) for the specific office sought. Candidates are not required to file a Form 501 for the same office in a connected General Election after filing a Form 501 for the Primary Election. A separate Form 501 must be filed for each future election, including re-election to the same office. This statement shall be signed under penalty of perjury and filed prior to the solicitation or receipt of any contribution or loan, including expenditures made from personal funds used for campaign purposes.

GC § 85200

If you plan on spending two thousand dollars (\$2,000) or more in a calendar year, you will receive a campaign reporting kit when you file for office. The kit contains all the necessary forms and instructions for filing your required campaign disclosure statements. A Statement of Organization-Recipient Committee (Form 410) shall be filed with the Secretary of State's Political Reform Division within 10 days of qualifying as a committee by receiving contributions totaling \$2,000 or more in a calendar year.

GC §§ 82013(a), 84101

If you plan on spending less than two thousand dollars (\$2,000) in a calendar year, you will receive a form 470 (short form) when you file for office. Every candidate or officeholder who has filed a short form and who thereafter receives contributions or makes expenditures totaling two thousand dollars (\$2,000) or more in a calendar year, shall send written notification to the Secretary of State, the local filing officer, and each candidate contending for the same office within 48 hours of receiving or expending a total of two thousand dollars (\$2,000). The written notification shall revoke the previously filed short form statement. For additional filing obligations, refer to Manual 1 for State office candidates or Manual 2 for local office candidates.

GC § 84206

If you have questions concerning campaign disclosure reporting, call (209) 385-7541 for assistance or additional filing forms or contact the Fair Political Practices Commission at its website: FPPC.ca.gov or call its toll-free number: (866) 275-3772.

FAILURE TO FILE OR LATE FILING OF CAMPAIGN DISCLOSURE STATEMENTS COULD RESULT IN MONETARY FINES

The second pre-election statements must be sent by personal or guaranteed overnight delivery. All other type of statements (first pre-election and semi-annual) may be sent by first-class mail.

Campaign statements containing 30 pages or less may be faxed provided that the required original (a copy containing an original signature of the committee treasurer) and the required copies are sent by first-class mail or by guaranteed overnight delivery service within 24 hours of the filing deadline. See information in campaign reporting kit for more details.

CAMPAIGN DISCLOSURE ITEMS TO REMEMBER

1. **Be informed:** Study FPPC Campaign Disclosure Manual 2.
Local candidates should ask their election official about any local campaign restrictions.
2. **Before raising or spending any money:** File FPPC 501 (Candidate Intention Statement). Then open a special campaign bank account. Once \$2,000 is raised or spent, get an identification number by filing FPPC form 410.
3. **Don't spend personal funds:** Any personal funds used for campaign purposes must first be deposited in your special campaign bank account, unless they are used for a candidate's statement published in the Voter Information Guide and/or for a filing fee. You have the choice of depositing your personal funds in your campaign bank account as a contribution or a loan to your committee.
4. **Keep good records:** Maintain details on contributions and expenditures of \$25.00 or more. Refer to record keeping guidelines in FPPC Campaign Disclosure Manual 2.
5. **Purchases:** If any campaign goods or services are purchased, disclose sub-vendors and amount they were paid.
6. **\$100 or more in cash?** Never accept or spend \$100 or more in cash.
7. **Itemize contributors:** For contributions of \$100 or more including loans and in-kind contributions, you must disclose the contributor's name, address, occupation and employer.
8. **Report late contributions:** If \$1,000 or more is received from one contributor during the last 16 days before the Election, disclose receipt within 24 hours, even if the contribution is from your personal funds. Each late contribution report must have a unique report number to be issued by the filer.
9. **Multiple contributions from one source:** Keep track of each check. Report the aggregate amount.
10. **If an agent or campaign consultant buys goods or services for the campaign:** Itemize expenditures of \$500 or more made by the agent or consultant. Make sure to always keep receipts of all purchases.
11. **Identify candidate/committee on mailings:** Include your name and campaign address in at least 6-point type on the outside of all mass mailings (more than 200 pieces). Your committee's name may be used if it includes your name. If you wish to use your committee's name and your name is not part of it, then you must use both your name and the name of the committee.
12. **Disclose original loan sources:** List any loan, even a personal loan to the candidate, all or partly used for the campaign. Also disclose all loan guarantors of \$100 or more.
13. **No personal use of campaign funds:** Use campaign funds only for political, legislative or governmental purposes.
14. **Mark your calendar:** Know the due dates for campaign statements and file on time.
15. **Be more informed:** Attend a campaign workshop in your area. Contact your filing officer or the FPPC if you have any questions. Call the Fair Political Practices Commission at (916) 322-5660 or toll free at (866) 275-3772.

VOTE BY MAIL VOTER INFORMATION AVAILABLE FOR PURCHASE

\$25.00 for each report requested

Candidates and political campaigns frequently utilize vote by mail voter information in their campaigns. The regular vote by mail voter period (VBM ballots are mailed upon receipt of written request from the voter) is 29 calendar days before the election through Election Day. The last day a vote by mail ballot can be **mailed** from our office is seven days before the election.

Vote by Mail Voter List or **Vote by Mail Customer Report**

A vote by mail report is prepared each weekday starting on the 29th day before the election. This report is a listing of all applications processed, ballots issued, and ballots returned the previous day. The report also shows residence and mailing address, political party, date application received, date ballot mailed, date ballot was returned, voting precinct and vote by mail precinct. The list also shows telephone number (if available), birth date, state of birth, affidavit number and date of registration. This report may also be transmitted electronically by FTP.



Three options are available:

1. AVMJ004 – listed by **Application Date**,
2. AVMJ010 – Listed by **Issue Date**, and
3. AVMJ011 – Listed by **Return Date**

All transactions are nonrefundable, and there are no exchanges on ordered reports

An [Application and Use Agreement](#) needs to be completed and approved for each purchase. Advance notice of 24 hours and prepayment (or deposit) is required before our office starts any work on your request.

For more information regarding vote by mail voter data, please contact the Registrar of Voters Office at **(209) 385-7541**.

VOTE BY MAIL INFORMATION

Uniform Application for Vote by Mail Ballot [EC §§ 3006, 3007, 3007.5](#)

It is recommended that any vote by mail ballot application intended for mass reproduction be approved by the Registrar of Voters prior to its distribution to ensure compliance with current law.

- 1) [EC § 3007](#) requires that any individual, group, or organization distributing applications for vote by mail ballots must use the format for this application which has been approved by the Secretary of State. [EC §§ 3006, 3007, 18402](#)
- 2) [EC § 3006](#) specifically permits preprinting only the voter's name, residence address, date of birth, and the name and date of the election for which the application is being made.
- 3) The portion of the application which asks the address to which the voter wishes the vote by mail ballot to be mailed must, if different from the voter's residence address, be completed by the voter. The mailing address may not be the address of any political party, candidate, or political campaign headquarters.
- 4) The application shall provide the voters with information concerning the process for establishing permanent vote by mail voter status. [EC § 3006](#)
- 5) An application containing preprinted information must contain a conspicuously placed notice stating that: "You have the legal right to mail or deliver this application directly to the local elections official of the county where you reside."
- 6) Only the voter may sign the application.
- 7) If applications are distributed through the mail, they must not be forwarded.
- 8) Bar-coded affidavit or voter identification numbers on applications must meet approval of the Elections Department prior to distribution. To avoid possible problems, candidates and committees are advised to obtain voter information directly from the Elections Department.
- 9) Applications for vote by mail ballots must be made in writing and be received by the Elections Department no later than the 7th day before the election.

Candidates and committees may receive applications for vote by mail ballots. Applications must be submitted to the Elections Department within 72 hours of receipt. Candidates and committees may not collect, receive or handle voted vote by mail ballots.

Applications for vote by mail ballots are available on the Merced County's web site [here](#).

DEFINITION OF “MASS MAILING”

“Mass Mailing” means over two hundred substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry.

[GC § 82041.5](#)

MASS MAILING

(a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass 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 which shall be in a color or print which 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 organization’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) 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). [GC § 84305](#)
(Amended by Stats. 1989, Ch. 764, Sec. 1.)

IDENTIFICATION OF SENDERS OF A “SLATE MAILER”

(a) No slate mailer organization or committee primarily formed to support or oppose one or more ballot measures shall send a slate mailer unless:

(1) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures are shown on the outside of each piece of slate mail and on at least one of the inserts included with each piece of slate mail in no less than 8-point roman type which shall be in a color or print which 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 street address of the slate mailer organization or the committee primarily formed to support or oppose one or more ballot measure is a matter of public record with the Secretary of State’s Political Reform Division.

(2) At the top or bottom of the front side or surface of at least one insert or at the top or bottom of one side or surface of a postcard or other self-mailer, there is a notice in at least 8-point roman boldface type, which shall be in a color or print which contrasts with the background so as to be easily legible, and in a printed or drawn box and set apart from any other printed matter. The notice shall consist of the following statement:

NOTICE TO VOTERS	
THIS DOCUMENT WAS PREPARED BY (name of slate mailer organization or committee primarily formed to support or oppose one or more ballot measures), NOT AN OFFICIAL POLITICAL PARTY ORGANIZATION. Appearance in this mailer does not necessarily imply endorsement of others appearing in this mailer, nor does it imply endorsement of, or opposition to, any issues set forth in this mailer. Appearance is paid for and authorized by each candidate and ballot measure which is designated by an *.	

(3) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures as required by paragraph (1) and the notice required by paragraph (2) may appear on the same side or surface of an insert.

(4) Each candidate and each ballot measure that has paid to appear in the slate mailer is designated by an *. Any candidate or ballot measure that has not paid to appear in the slate mailer is not designated by an *.

The * required by this subdivision shall be of the same type size, type style, color or contrast, and legibility as is used for the name of the candidate or the ballot measure name or number and position advocated to which the * designation applies except that in no case shall the * be required to be larger than 10-point boldface type. The designation shall immediately follow the name of the candidate, or the name or number and position advocated on the ballot measure where the designation appears in the slate of candidates and measures. If there is no slate listing, the designation shall appear at least once in at least 8-point boldface type, immediately following the name of the candidate, or the name or number and position advocated on the ballot measure.

(5) The name of any candidate appearing in the slate mailer who is a member of a political party differing from the political party which the mailer appears by representation or indicia to represent is accompanied, immediately below the name, by the party designation of the candidate, in no less than 9-point roman type which shall be in a color or print that contrasts with the background so as to be easily legible. The designation shall not be required in the case of candidates for nonpartisan office.

(b) For purposes of the designations required by paragraph (4) of subdivision (a), the payment of any sum made reportable by subdivision (c) of Section 84219 by or at the behest of a candidate or committee, whose name or position appears in the mailer, to the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures, shall constitute a payment to appear, requiring the * designation. The payment shall also be deemed to constitute authorization to appear in the mailer.

(Repealed and added by Stats. 2004, Ch. 478, Sec. 9. Effective September 10, 2004.)

[GC § 84305.5](#)

POLITICAL ADVERTISEMENT REQUIREMENTS

Newspapers

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. [EC § 20008](#)

SIMULATED BALLOT REQUIREMENTS

(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 Merced County Registrar of Voters 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. [EC § 20009](#)

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. [EC § 18301](#)

OUTDOOR ADVERTISING: POLITICAL SIGNS (INCLUDING PLACARDS AND POSTERS)

Outdoor Political Advertising – State Law

[B&P § 5405.3](#) of the State Outdoor Advertising Act (Business & Professions Code) authorizes the placing of "temporary political signs" separate and apart from the normal outdoor advertising controls. No political sign may be placed within the right-of-way of any highway or within 660 feet of the edge of and visible from the right-of-way of a landscaped freeway.

Temporary political signs are those that meet the following criteria:

- a. Encourages a particular vote in a scheduled election;
- b. Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after the election;
- c. Is no larger than 32 square feet;
- d. Has had a "Statement of Responsibility" filed with the State Department of Transportation. Forms are available at the Merced County Elections Department.

The law directs the Department of Transportation to remove signs that do not comply with the regulations before an election and to bill the responsible party for removal costs after the election.

[PC §§ 556, 556.1, 556.3](#) provide that it is a misdemeanor for any person to place a sign to advertise on public or private property (without consent); and that it shall be considered a public nuisance.

The State agency responsible for administering outdoor advertising laws including those for political signs is:

STATE OFFICE

Department of Transportation

Division of Traffic Operations

Outdoor Advertising Program

P.O. Box 942874, MS-36

Sacramento, CA 94274-0001

(916) 654-6473 Public

(916) 651-9359 FAX

www.dot.ca.gov - website

ODA@dot.ca.gov – email address

*** Cities have their own Outdoor Advertising codes.
You may visit our website or call the Elections Office for more information.
www.mercedelections.org / (209) 385-7541**

ELECTIONEERING

EC § 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, a satellite location under [EC § 3018](#), 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 of his or her qualifications except as provided in [EC § 14240](#).
- d) Do any electioneering.

Any person who violates any of the provisions of this section is guilty of a misdemeanor.

ELECTIONEERING DURING VOTE BY MAIL VOTING

EC § 18371

- a) No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of a vote by mail voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the vote by mail voter is voting.
- b) Any person who knowingly violates this section is guilty of a misdemeanor.
- c) This section shall not be construed to conflict with any provision of the federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by [EC § 18370](#), or by any other provision of law.

ELECTION NIGHT RESULTS

All ballots are tabulated at central location:

Merced County Elections Warehouse
250 E. 15th Street, Suite A
Merced, CA 95340

Website: www.mercedelections.org

Telephone: (209) 385-7541

Election Night Results

The first election results are released shortly after 8:00 p.m. These results are vote by mail ballots cast prior to Election Day from throughout the county.

The last update on Election Day will be labeled "Final Unofficial Election Day Results."

Updated Election Results

Election results will be updated, at a minimum, every Friday after 9:00 a.m. until Official Final Results are certified by the County Registrar of Voters.

Final Election Results

The Official Final Results are certified by the County Registrar of Voters when the official canvass has been completed and all votes are tabulated. The certification must be no later than the 30th day following the election. The anticipated certification date will be posted on the Merced County Elections website.

CANVASS OF THE VOTE

No later than Wednesday, November 3, 2021, the canvass of the returns will commence at the Merced County Elections Warehouse, 250 E. 15th Street, Suite A, Merced, CA. During the canvass, a complete inspection of all returns will be accomplished, as well as processing and counting of vote by mail ballots voted and/or received on Election Day.

Additionally, any provisional ballots and ballots cast for qualified write-in candidates will be processed during the canvass. The election canvass is an internal audit and is required by state law to ensure the accuracy of election results. California elections law allows 28 days for the conduct of the official canvass. All aspects of the canvass are open to public inspection. The canvass concludes with the certification and issuance of official election results. Listed below are the major components of the official canvass.

1% Manual Vote Tally

All voted ballots from a randomly selected 1% of the contests by batch are manually tallied and balanced against the computer counts to verify the accuracy of the election tally system. This process is required by law.

Ballots Added During Official Canvass

The following ballots are withheld from the tally system on election night. Once eligibility is determined these ballots are added to the election results. Withheld ballot types include:

1. **Vote by Mail Ballots** returned on Election Day to our office and dropped off at the polling locations. These ballots do not arrive in sufficient time to be individually signature-verified, opened and prepared for tabulation on election night.
2. **Damaged Ballots** that are unable to be processed through the election tally system and, therefore, must be manually duplicated prior to tabulation.
3. **Conditional Ballots** issued at Merced County Registrar of Voters office after the close of registration date must be individually researched to determine eligibility which is a time-consuming process. Conditional ballots are issued at the office when a person's voter registration cannot immediately be authenticated.

Each voted conditional ballot is placed in a special lavender/white envelope so that they can be separated from the regular voted ballots. They are transported to the elections warehouse with all other ballots. During the canvass period after election night, each conditional ballot is researched to determine eligibility of the voter. Since there may be thousands involved, it takes time to carefully check each one against the computer registration files. After the determination is made, and if the voter is qualified to vote, their ballot is added to the overall total for the election.

4. **Write-In Votes:** When a voter chooses to vote for a write-in candidate whose name is not printed on the ballot, no race on that ballot can be counted on election night. All ballots containing write-in votes must be set aside for manual review of each individual ballot to determine if the write-in vote is for a qualified or unqualified write-in candidate and whether or not the voter overvoted (i.e. voted for a candidate on the ballot and also voted for a qualified write-in candidate for the same office). When an overvote occurs, neither vote can be counted for that one office, although the rest of the ballot selections will be counted. Vote tallies for write-in candidates are not available until the conclusion of the official canvass.