



**DEBRA BOWEN | SECRETARY OF STATE  
STATE OF CALIFORNIA | ELECTIONS**

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December 1, 2009

County Clerk/Registrar of Voters (CC/ROV) Memorandum #09197

TO: All County Clerks/Registrars of Voters and Proponents

FROM:

  
Katherine Montgomery  
Associate Elections Analyst

RE: Initiative: 1400, Related to Fertilized Human Eggs

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**CHANGES CONSTITUTIONAL DEFINITION  
OF A PERSON TO INCLUDE FERTILIZED HUMAN  
EGGS. INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponents of the above-named measure are:

Walter B. Hoye II  
Jason Jones  
Lila Rose  
Leo Severino  
1684 Decoto Road, Suite 251  
Union City, CA 94587

(510) 225-4056

#1400

**CHANGES CONSTITUTIONAL DEFINITION  
OF A PERSON TO INCLUDE FERTILIZED HUMAN  
EGGS. INITIATIVE CONSTITUTIONAL AMENDMENT.**

**CIRCULATING AND FILING SCHEDULE**

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1. Minimum number of signatures required: .....694,354  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: ..... Monday, 11/30/09
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elec. Code § 336) ..... Monday, 11/30/09
  - b. Last day Proponent can circulate and file with the county.  
All sections are to be filed at the same time within each  
county. (Elec. Codes §§ 336, 9030(a))..... Thursday, 04/29/10
  - c. Last day for county to determine total number of  
signatures affixed to petitions and to transmit total  
to the Secretary of State (Elec. Code § 9030(b))..... Tuesday, 05/11/10  

(If the Proponent files the petition with the county on a date prior to  
04/29/10, the county has eight working days from the filing of the petition  
to determine the total number of signatures affixed to the petition and to  
transmit the total to the Secretary of State) (Elec. Code § 9030(b)).
  - d. Secretary of State determines whether the total number  
of signatures filed with all county clerks/registrars of  
voters meets the minimum number of required signatures  
and notifies the counties..... Thursday, 05/20/10\*
  - e. Last day for county to determine total number of qualified  
voters who signed the petition, and to transmit certificate  
with a blank copy of the petition to the Secretary of State  
(Elec. Code § 9030(d)(e))..... Friday, 07/02/10

\* Date varies based on the date of county receipt.

**INITIATIVE #1400**

**Circulating and Filing Schedule continued:**

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(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 05/20/10, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elec. Code § 9030(d)(e)).

- f. If the signature count is more than 763,790 or less than 659,637 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 659,637 and 763,790 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures (Elec. Code §§ 9030(f)(g), 9031(a)) ..... Monday, 07/12/10\*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (Elec. Code § 9031(b)(c)). ..... Monday, 08/23/10

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 07/12/10, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elec. Code § 9031(b)(c).)

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (Elec. Code §§ 9031(d), 9033)..... Friday, 08/27/10\*

\*Date varies based on the date of county receipt.

## IMPORTANT POINTS

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- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal.App.3d 825, 177 Cal.Rptr. 621; 63 Ops.Cal.Atty.Gen. 37 (1980).
- Please refer to Elections Code sections 100, 101, 104, 9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

EDMUND G. BROWN JR.  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



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Public: (916) 445-9555  
Telephone: (916) 445-4752  
Facsimile: (916) 324-8835  
E-Mail: Krystal.Paris@doj.ca.gov

November 30, 2009

**FILED**  
In the office of the Secretary of State  
of the State of California

DEC 01 2009

Debra Bowen, Secretary of State  
By:   
Deputy Secretary of State

Honorable Debra Bowen  
Secretary of State of the State of California  
State of California Elections  
1500 11th Street, 5th Floor  
Sacramento, CA 95814

Attention: Ms. Katherine Montgomery  
Associate Elections Analyst

**Re: Initiative 09-0043 "California Human Rights Amendment."**

Dear Secretary Bowen:

Pursuant to Elections Code sections 9004 and 336, you are hereby notified that on this day we mailed our title and summary for the above-referenced proposed initiative to the proponent. A copy of that title and summary and text of the proposed measure is enclosed.

Please contact me if you have any questions. Thank you.

Sincerely,

Handwritten signature of Krystal M. Paris in blue ink.

KRYSTAL M. PARIS  
Initiative Coordinator

For EDMUND G. BROWN JR.  
Attorney General

**Proponent:**

Walter B. Hoye III  
Jason Jones  
Lila Rose  
Leo Severino  
1684 Decoto Road, Suite 251  
Union City, CA 94587-3544

Date: November 30, 2009  
Initiative 09-0043

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

**CHANGES CONSTITUTIONAL DEFINITION OF A PERSON TO INCLUDE  
FERTILIZED HUMAN EGGS. INITIATIVE CONSTITUTIONAL AMENDMENT.**

Extends constitutional protections of due process and equal protection to all fertilized human eggs by redefining "person" as including each and every human organism from the commencement of biological development. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Potential increased costs for courts, law enforcement, and other agencies for criminal and civil proceedings. Potential costs and savings for health and social services programs if the courts determined that the measure restricts access to some types of birth control methods. Potential loss of state or local revenues due to reduced research activity that may be offset by reduced state spending on research. Unknown potential effects on state and local health care expenditures due to changes that may occur in medical practices. (09-0043.)

California Civil Rights Foundation

September 28, 2009

Initiative Coordinator  
Office of the California Attorney General  
1300 I Street  
Sacramento, CA 95814

09 - 0043  
**RECEIVED**

SEP 28 2009

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

**Re: Request for Title and Summary of Proposed Initiative**

Dear Initiative Coordinator:

I am one of the proponents of the proposed initiative constitutional amendment filed herewith. We request that the Attorney General prepare a title and summary of the chief purpose and points of this proposed measure. Enclosed please find the text of the proposed measure, my residence address at which I am registered to vote, and the filing fee of \$200.

Please forward any inquiries you may have regarding this measure to: Walter B Hoye II  
1684 Decoto Road, Suite 251 Union City, California 94587-3544  
510-225-4056

Sincerely,

Walter B. Hoye II  
Jason Jones  
Lila Rose  
Leo Severino

California Civil Rights Foundation

SECTION 1. Title

This measure shall be known and may be cited as the "California Human Rights Amendment."

SECTION 2. Article I, Section 7 (c) is added to the California Constitution, to read:

(c) For the purpose of this section: The term "person" applies to all living human organisms from the beginning of their biological development -- regardless of the means by which they were procreated, method of reproduction, age, race, sex, gender, physical well-being, function, or condition of physical or mental dependency and/or disability.