



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

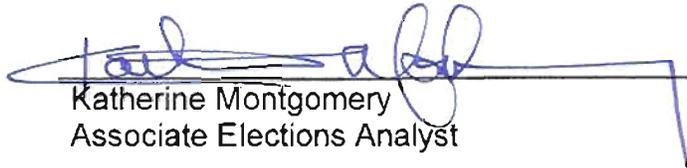
1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | www.sos.ca.gov

November 16, 2009

County Clerk/Registrar of Voters (CC/ROV) Memorandum #09177

TO: All County Clerks/Registrars of Voters and Proponents

FROM:


Katherine Montgomery
Associate Elections Analyst

RE: Initiative: 1385, Related to Marriage

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:

**REINSTATES RIGHT OF SAME-SEX COUPLES TO MARRY.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponents of the above-named measure are:

John Henning
Raphael Farrow
Jo Hoenninger
Thomas Watson
Angie-Marie Hancock

Jordan Krueger
Andrew Klayman
Peter Nguyen
Edwin Rivera
Fredy Ceja

P.O. Box 1301
Studio City, CA 91614

#1385

**REINSTATES RIGHT OF SAME-SEX COUPLES TO MARRY.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required:694,354
California Constitution, Article II, Section 8(b)
2. Official Summary Date:Friday, 11/13/09
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (Elec. Code § 336) Friday, 11/13/09
 - 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)).....Monday, 04/12/10
 - 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)).....Thursday, 04/22/10

(If the Proponent files the petition with the county on a date prior to
04/12/10, 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.....Saturday, 05/01/10*
 - 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)).....Monday, 06/14/10

* Date varies based on the date of county receipt.

INITIATIVE #1385

Circulating and Filing Schedule continued:

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 05/01/10, 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))Thursday, 06/24/10*

- 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)). Thursday, 08/05/10

(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 06/24/10, 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).....Monday, 08/09/10*

*Date varies based on the date of county receipt.

IMPORTANT POINTS

- 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



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

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

November 13, 2009

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

NOV 16 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

Initiatives: 09-0036, Re: Marriage Equality [V-1.]; 09-0039, Re: Marriage Equality [V-2.]; 09-0040, Re: Marriage Equality [V-3.]; 09-0041, Re: Marriage Equality [V-4.]; 09-0042, Re: Marriage Equality [V-5.]

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 each of the above-referenced initiatives to the proponents. A copy of the title and summary and text of each of the proposed measure is enclosed.

Please contact me if you have any questions.

Sincerely,


KRYSTAL M. PARIS
Initiative Coordinator

For EDMUND G. BROWN JR.
Attorney General

Proponents:

John Henning
Raphael Farrow
Jo Hocminger

Thomas Watson
Angie-Marie Hancock
Jordan Krueger
Andrew Klayman

Peter Nguyen
Edwin Rivera
Fredy Ceja

Love Honor Cherish
P.O. Box 1301
Studio City, CA 91614

Date: November 13, 2009

Initiative 09-0036

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

REINSTATES RIGHT OF SAME-SEX COUPLES TO MARRY. INITIATIVE

CONSTITUTIONAL AMENDMENT. Repeals the current provision in California's

Constitution that states only marriage between a man and a woman is valid or recognized in

California. Provides that marriage is between only two persons and shall not be restricted on the basis of race, color, creed, ancestry, national origin, sex, gender, sexual orientation, or religion.

Clarifies that the initiative shall not be interpreted to require any priest, minister, pastor, rabbi, or other person to perform a marriage in violation of his or her religious beliefs. Summary of

estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local

government: Over the long run, this measure would likely have little fiscal impact on state and

local governments. (09-0036.)

09-0036

RECEIVED

SEP 24 2009

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

September 24, 2009

VIA OVERNIGHT DELIVERY

Honorable Jerry Brown
Attorney General
State of California
1300 "I" Street
Sacramento, CA 95814
ATTN: Krystal Paris, Initiative Coordinator

Re: Request for Title and Summary - Initiative Constitutional
Amendment

Dear Attorney General Brown:

Pursuant to Article II, Section 10(d) of the California Constitution and Section 9002 of the Elections Code, we are submitting the attached proposed statewide ballot initiative measure to your office. We request that you prepare a title and summary of the measure as provided by law.

We have also included with this letter the following documents:

- (1) The required statement under California Elections Code section 9608, signed by each of the proponents;
- (2) A separate page containing, for each of the proponents, the address at which such proponent is registered to vote; and
- (3) A check in the amount of \$200.

Pursuant to your request, the proponents have selected one person among them as a contact person. Should you require any further information, please contact John Henning at Love Honor Cherish, P.O. Box 1301, Studio City, CA 91614, or at john.henning@lovehonorcherish.org.

Attorney General Brown
September 24, 2009
Page 2

Thank you for your time and attention to this matter.

Sincerely,

~~Father Geoff Farrow~~

Jo Hoenninger

Thomas Watson

Ange-Marie Hancock

Jordan Krueger

John Henning

Andrew Klayman

Attorney General Brown
September 24, 2009
Page 3

Peter Nguyen

Edwin Rivera

Attorney General Brown
September 24, 2009
Page 4

Fredy Ceja



This amendment would amend an existing section of the California Constitution. Existing language proposed to be deleted is printed in ~~strikeout type~~. Language proposed to be added is printed in underlined type.

Section 1. To protect religious freedom, no court shall interpret this measure to require any priest, minister, pastor, rabbi, or other person authorized to perform marriages by any religious denomination, church, or other non-profit religious institution to perform any marriage in violation of his or her religious beliefs. The refusal to perform a marriage under this provision shall not be the basis for lawsuit or liability, and shall not affect the tax-exempt status of any religious denomination, church or other religious institution.

Section 2. To provide for fairness in the government's issuance of marriage licenses. Section 7.5 of Article I of the California Constitution is hereby amended to read as follows: Sec. 7.5. ~~Only marriage between a man and a woman is valid or recognized in California.~~ Marriage is between only two persons and shall not be restricted on the basis of race, color, creed, ancestry, national origin, sex, gender, sexual orientation, or religion.