



**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

October 23, 2009

County Clerk/Registrar of Voters (CC/ROV) Memorandum #09164

TO: All County Clerks/Registrars of Voters and Proponent

FROM:

  
Katherine Montgomery  
Associate Elections Analyst

RE: Initiative: 1379, 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:

**ELIMINATES THE LAW ALLOWING MARRIED  
COUPLES TO DIVORCE. INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

John Marcotte  
5228 21<sup>st</sup> Avenue  
Sacramento, CA 95820

**ELIMINATES THE LAW ALLOWING MARRIED  
COUPLES TO DIVORCE. 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, 10/23/09
  
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elec. Code § 336) ..... Friday, 10/23/09
  
  - 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, 03/22/10
  
  - 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)).....Friday, 04/02/10  
  
(If the Proponent files the petition with the county on a date prior to  
03/22/10, 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.....Sunday, 04/11/10\*
  
  - 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, 05/21/10

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

**INITIATIVE #1379**  
**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 04/11/10, 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, 05/31/10\*
  
- 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, 07/12/10

(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 05/31/10, 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, 07/16/10\*

\*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



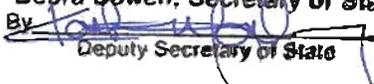
1300 I STREET, SUITE 125  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550  
Public: (916) 445-9555  
Telephone: (916) 445-4752  
Facsimile: (916) 324-8835  
E-Mail: Krystal.Paris@doj.ca.gov

October 23, 2009

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

OCT 23 2009

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

Debra Bowen, Secretary of State  
By   
Deputy Secretary of State

Attention: Ms. Katherine Montgomery  
Associate Elections Analyst

Re: Initiative 09-0026, "2010 California Marriage Protection Act."

Official Circulating Title: **ELIMINATES THE LAW ALLOWING MARRIED COUPLES TO DIVORCE. INITIATIVE CONSTITUTIONAL 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 initiative 09-0026, the "2010 California Marriage Protection Act" 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..

Sincerely,



KRYSTAL M. PARIS  
Initiative Coordinator

For EDMUND G. BROWN JR.  
Attorney General

Proponent:  
John Marcotte  
5228 21st Avenue  
Sacramento, CA 95820

October 23, 2009  
Initiative 09-0026

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

**ELIMINATES THE LAW ALLOWING MARRIED COUPLES TO DIVORCE.**

**INITIATIVE CONSTITUTIONAL AMENDMENT.** Changes the California Constitution to eliminate the ability of married couples to get divorced in California. Preserves the ability of married couples to seek an annulment. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Savings to the state of up to hundreds of millions of dollars annually for support of the court system due to the elimination of divorce proceedings. (09-0026.)

**VIA PERSONAL DELIVERY**

The Honorable Edmund G. Brown, Jr.  
Attorney General  
1300 I Street  
Sacramento, CA 95814

Attention: Krystal Paris, Initiative Coordinator

09 - 0026

**RECEIVED**

SEP 01 2009

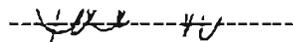
INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

**REQUEST FOR TITLE AND SUMMARY SECTION 9002**

Pursuant to Article II, Section 10(d) of the California Constitution and Section 9002 of the Elections Code, I hereby request that a title and summary be prepared for the attached initiative titled "2010 California Marriage Protection Act" as provided by law. Included in this submission is the required affidavit signed by myself as proponent of this measure pursuant to section 9608 of the California Elections Code. My address as registered voter is provided and attached to this letter. Along with a check for \$200.

Thank you for your assistance.

Sincerely, / ,

  
-----  
John Marcotte,  
Proponent

Please direct all correspondence to john@cadmouth.net

SECTION 1. Title. This act shall be known as the "2010 California Marriage Protection Act."

SECTION 2. Section 7.6 is added to Article I of the California Constitution, to read:

No party to any marriage shall be restored to the state of an unmarried person during the lifetime of the other party unless the marriage is void or voidable, as set forth in Part 2 of Division 6 of the Family Code.