



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

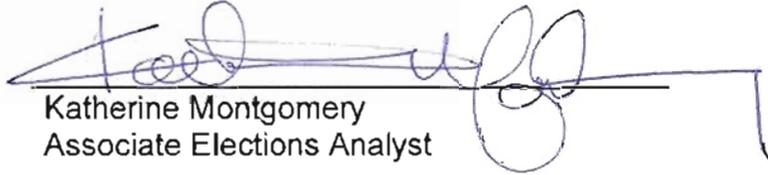
1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | www.sos.ca.gov

April 5, 2010

County Clerk/Registrar of Voters (CC/ROV) Memorandum #10115

TO: All County Clerks/Registrars of Voters and Proponent

FROM:

  
Katherine Montgomery  
Associate Elections Analyst

RE: Initiative: 1467, Related to Flood Insurance

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:

**PROVIDES THAT PROPERTY OWNERS  
MAY NOT BE REQUIRED TO OBTAIN OR  
MAINTAIN FLOOD INSURANCE. INITIATIVE STATUTE.**

The proponent of the above-named measure is:

John Kertisz  
4210 Grand Avenue  
Ojai, CA 93023

#1467

**PROVIDES THAT PROPERTY OWNERS  
MAY NOT BE REQUIRED TO OBTAIN OR  
MAINTAIN FLOOD INSURANCE. INITIATIVE STATUTE.**

**CIRCULATING AND FILING SCHEDULE**

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1. Minimum number of signatures required: .....433,971  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: ..... Monday, 04/05/10
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elec. Code § 336) ..... Monday, 04/05/10
  - 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, 09/02/10
  - 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, 09/16/10  

(If the Proponent files the petition with the county on a date prior to  
09/02/10, 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, 09/25/10\*
  - 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, 11/8/10

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

**INITIATIVE #1467**

**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 09/25/10, 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 477,369 or less than 412,273 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 412,273 and 477,369 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (EC §9030(f)(g); 9031(a)).....Thursday, 11/18/10\*
  
- 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, 01/03/11

(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 11/18/10, 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, 01/07/11\*

\*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



1300 I STREET, SUITE 125  
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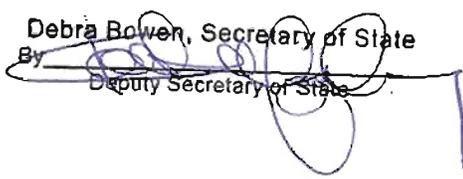
Public: (916) 445-9555  
Telephone: (916) 445-4752  
Facsimile: (916) 324-8835  
E-Mail: Krystal.Paris@doj.ca.gov

April 5, 2010

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

APR 05 2010

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

Dear Secretary Bowen:

Pursuant to Elections Code, section 9004, you are hereby notified that on this day we sent our title and summary for the following proposed initiative to the proponent:

- 10-0013, "Optional Flood Insurance"

A copy of that title and summary and text of the proposed initiative is enclosed. 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:  
John Kertisz  
4210 Grand Avenue  
Ojai, CA 93023

April 5, 2010  
Initiative 10-0013

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

**PROVIDES THAT PROPERTY OWNERS MAY NOT BE REQUIRED TO OBTAIN OR**

**MAINTAIN FLOOD INSURANCE. INITIATIVE STATUTE.** Provides that no law shall

require that the owner of any property within the State of California obtain or maintain flood

insurance as to that property. Prohibits any lender from requiring flood insurance as a condition

of making a loan on real property in the State of California. Summary of estimate by Legislative

Analyst and Director of Finance of fiscal impact on state and local government: **No significant**

**state and local fiscal impact.** (10-0013.)

John Kertisz  
4210 Grand Ave.  
Ojai CA 93023

10-0013

**RECEIVED**

FEB 11 2010

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

Office of the Attorney General  
Attn: Ms. Nicole Winger  
1300 I Street  
Sacramento CA 95814

January 26, 2010

**Subject: Request for Title & Summary:  
Proposed Initiative Measure-  
Optional Flood Insurance**

In accordance with step Two of the Initiative Process, I hereby request a Title and summary of the chief points and purpose of the proposed Initiative Measure be prepared (Section 9002).

Attached herewith is a draft of the proposed text for the Initiative Measure which was prepared by the Legislative Counsel Bureau, per step 1 of the Process. In effect, the Initiative would prohibit requiring California property owners to obtain flood insurance unless they so desire; and also prohibit lenders from requiring such as a condition of making a loan on real property.

Also attached is the Certificate of Acknowledgement, executed and signed statement of myself as proponent (Section 9608).

In addition, per instructions, enclosed is a check in the amount of \$200 payable to the Office of the State Treasurer as the fee for the Initiative (Section 9004).

Thank you for your assistance and attention to this timely and critical topic which I find of deep concern to the electorate of the State of California. I look forward to further discussions of this matter.

**John Kertisz, Proponent of Initiative**

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

12-point  
Boldface  
Type

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

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

Type: Roman  
Boldface not  
smaller than  
12-point

We, the undersigned, registered, qualified voters of California, residents of County (or City and County), hereby propose amendments to the Insurance Code, relating to flood insurance, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise provided by law. The proposed statutory changes (full title and text of measure) read as follows:

SECTION 1. Chapter 12 (commencing with Section 10108.5) is added to Part 1 of Division 2 of the Insurance Code, to read:

CHAPTER 12. FLOOD INSURANCE

10108.5. (a) No law shall require that the owner of any property within the State of California obtain or maintain flood insurance as to that property.

(b) No lender shall require that flood insurance be obtained or maintained as a condition of making a loan on real property in the State of California.

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