



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

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November 18, 2011

County Clerk/Registrar of Voters (CC/ROV) Memorandum #11116

TO: All County Clerks/Registrars of Voters and Proponent

FROM:

  
Katherine Montgomery  
Initiative Program Manager

RE: Initiative: 1519, Related to the Definition of a Person

Pursuant to Elections Code section 9004 (c), we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**CONSTITUTIONAL DEFINITION OF A PERSON.  
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Walter B. Hoye II  
1684 Decoto Road, Suite 251  
Union City, CA 94587

(510) 225-4056

#1519

**CONSTITUTIONAL DEFINITION OF A PERSON.  
INITIATIVE CONSTITUTIONAL AMENDMENT.**

**CIRCULATING AND FILING SCHEDULE**

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1. Minimum number of signatures required: ..... 807,615  
California Constitution, Article II, Section 8(b)
  
2. Official Summary Date: ..... Thursday, 11/17/11
  
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elections Code § 336) ..... Thursday, 11/17/11
  
  - b. Last day Proponent can circulate and file with the county.  
All sections are to be filed at the same time within each  
county. (Elections Codes §§ 9014, 9030(a)).....Monday, 04/16/12\*
  
  - c. Last day for county to determine total number of  
signatures affixed to petitions and to transmit total  
to the Secretary of State (Elections Code § 9030(b)).....Thursday, 04/26/12  
  
(If the Proponent files the petition with the county on a date prior to  
04/16/12, 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) (Elections 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, 05/05/12\*\*
  
  - 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  
(Elections Code §§ 9030(d)(e)).....Monday, 06/18/12

\* Date adjusted for official deadline, which falls on a weekend/holiday (Elec. Code § 15).

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

**INITIATIVE #1519**  
**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 05/05/12, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elections Code §§ 9030(d)(e).)

- f. If the signature count is more than 888,377 or less than 767,235 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 767,235 and 888,377 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, 06/28/12\*
- 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. (Elections Code §§ 9031(b)(c)). ..... Friday, 08/10/12

(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 06/28/12, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elections 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 (Elections Code §§ 9031(d), 9033) ...Tuesday, 08/14/12\*

\*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 § 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 §§ 100, 101, 104, 9008, 9009, 9013, 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.

KAMALA D. HARRIS  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550  
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Facsimile: (916) 324-8835  
E-Mail: [Dawn.McFarland@doj.ca.gov](mailto:Dawn.McFarland@doj.ca.gov)

November 17, 2011

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

Attention: Ms. Katherine Montgomery  
Elections Analyst

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

NOV 17 2011

VIA  
EMAIL  
4:01PM

Debra Bowen, Secretary of State  
By   
Deputy Secretary of State

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:

- 11-0041, "California Human Rights Amendment"

A copy of that title and summary and text of the proposed initiative is enclosed. Please contact me if you have questions.

Sincerely,



DAWN L. MCFARLAND  
Acting Initiative Coordinator

For KAMALA D. HARRIS  
Attorney General

DLM:

cc: Walter B. Hoye II, California Civil Rights Foundation

November 17, 2011  
Initiative 11-0041

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

**CONSTITUTIONAL DEFINITION OF A PERSON. INITIATIVE CONSTITUTIONAL**

**AMENDMENT.** Defines “person” as including all living human beings from the beginning of their biological development as human organisms, for purposes of state constitutional protections of due process and equal protection. Eliminates state constitutional protections of due process and equal protection for non-biological entities, such as corporations. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government:

**Costs from the establishment of due process and equal protection rights for zygotes, embryos, and fetuses, potentially in the tens of millions of dollars annually. (11-0041)**

RECEIVED

SEP 27 2011

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

## California Civil Rights Foundation

1684 Decoto Road, Suite 251 - Union City, California 94587-3544

• Website: <http://www.civilrightsfoundation.org> • Office 510.225.4056 • Email: [civilrights@civilrightsfoundation.org](mailto:civilrights@civilrightsfoundation.org) •

Monday, September 26<sup>th</sup>, 2011

Office of the Attorney General of California  
Attention: Dawn L. McFarland  
Initiative Coordinator  
1300 I Street  
P.O. Box 944255  
Sacramento, California 94244-2550

Phone: (916) 324-5464  
Fax: (916) 324-8835  
E-Mail: [Dawn.McFarland@doj.ca.gov](mailto:Dawn.McFarland@doj.ca.gov)  
Website: <http://www.doj.ca.gov>

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

Dear Initiative Coordinator Dawn McFarland

Pursuant to Article II, Section 10(d) of the California Constitution, I am submitting the attached proposed statewide Constitutional Amendment ballot initiative to your office and request the preparation of a title and summary for the ballot initiative as provided by law.

I propose the title: **California Human Rights Amendment**

I have also included with this letter the signed Proponent Certifications required under California Elections Code sections 9001(b) and 9608, my voter registration address, and payment in the amount of \$200.00.

I am a registered voter in the state of California.

Should you have any questions or require additional information, please contact me using the information provided in header above.

Thank you for your attention involving this important matter.

Sincerely,

Walter B. Hoye II, Proponent  
Public Contact Information: [civilrights@civilrightsfoundation.org](mailto:civilrights@civilrightsfoundation.org)



## California Civil Rights Foundation

1684 Decoto Road, Suite 251 - Union City, California 94587-3544

• Website <http://www.civilrightsfoundation.org> • Office 510.225.4056 • Email: [civilrights@civilrightsfoundation.org](mailto:civilrights@civilrightsfoundation.org) •

### INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO VOTERS

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

(Insert 100 word title and summary)

To the Honorable Secretary of State of California:

We the undersigned, registered, qualified voters of California, residents of the afore-described County (or City and County), on the signature page of this petition section, page of this petition section, hereby propose an amendment to the Constitution of the State of California relating to the definition of the term 'person' 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 the general election or otherwise provided by law. The proposed amendment reads as follows:

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#### 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 only to all living human beings from the beginning of their biological development as human organisms – 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.