

**Initiative and Referendum Qualification Requirements
November 3, 2020, General Election**

Initiative

The initiative process is the power of the people to place laws and constitutional amendments on the ballot. These measures can either create or change laws (including general obligation bonds) or amend the California Constitution. If the initiative proposes to create or change California law, the proponent(s) must gather petition signatures of registered voters equal to 5% of the total votes cast for Governor in the most recent gubernatorial election. If the initiative proposes to amend the California Constitution, the signature requirement is 8% of the total votes cast for Governor in the most recent gubernatorial election. A qualified initiative is placed on the ballot for a regularly scheduled statewide general election that occurs at least 131 days after the measure qualifies or for a special election called by the Governor.

To be enacted, an initiative measure requires a simple majority of the total votes cast. A “yes” vote approves and a “no” vote rejects a proposed law or constitutional amendment placed on the ballot through the initiative process.

Based on the number of votes cast for the office of Governor at the 2018 General Election, the number of signatures required is as follows:

Initiative Statute:	623,212 (5% of 12,464,235)	Cal. Const., art. II, § 8(b); § 9035
Initiative Constitutional Amendment:	997,139 (8% of 12,464,235)	Cal. Const., art. II, § 8(b); § 9035

Referendum

The referendum process is the power of the people to approve or reject laws already adopted by the Legislature. However, this does not apply to laws that have urgency clauses, call for elections, or provide for tax levies or appropriations for current expenses of the state. Proponent(s) wishing to prevent a legislatively adopted law from taking effect must, within 90 days of enactment of the legislation, gather signatures of registered voters equal to 5% of the total votes cast for Governor in the most recent gubernatorial election. A qualified referendum is placed on the ballot for a regularly scheduled statewide general election that occurs at least 31 days after the measure qualifies or for a special election called by the Governor.

A “yes” vote approves a law previously adopted by the Legislature and allows it to take effect. A “no” vote rejects the law previously adopted by the Legislature and prevents it from taking effect.

Based on the number of votes cast for the office of Governor at the 2018 General Election, the number of signatures required is as follows:

Referendum Measure:	623,212 (5% of 12,464,235)	Cal. Const., art. II, § 9(b)
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For additional information regarding the initiative and referendum process, please visit the Secretary of State’s website at <http://www.sos.ca.gov/elections/ballot-measures/how-qualify-initiative/> or <http://www.sos.ca.gov/elections/ballot-measures/referendum/>.

Candidate Qualifications and Information
Offices to Be Voted on at the March 3, 2020, Presidential Primary Election

Partisan Office

Office	Term of Office	Term Begins	Districts	Qualifications
United States President	4 years	Jan. 20, 2021 (12:00 noon)	N/A	Natural-born citizen of the United States, at least 35 years of age, resident of the United States for at least fourteen years. U.S. Const., art. II, §§ 1, 5; 20 th Amend., § 1

Voter-Nominated Offices

Office	Term of Office	Term Begins	Districts	Qualifications
United States Representative in Congress	2 years	Jan. 3, 2021 (12:00 noon)	53	At least 25 years of age, citizen of the United States for at least seven years, and a resident of the state when elected. U.S. Const., art. I, §§ 1, 2; 20 th Amend., § 1
State Senator	4 years	Dec. 7, 2020	20 (odd-numbered)	Citizen of the United States, resident of California, registered voter in the district at the time nomination papers are issued, and otherwise qualified to vote for that office. Members of the Senate who were elected before June 2012 may not serve more than two terms in the State Senate; for all others, may not serve more than 12 years in the Senate, the Assembly, or both, in any combination of terms. May not have been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes, or for being an official interested in contracts, or becoming a vendor or purchaser at sales, or purchasing scrip or other evidences of indebtedness, in which the official has financial interest. §§ 20, 201; Gov. Code § 1097; Cal. Const., art. IV, § 2 ¹

¹Although Article IV, section 2(c) of the California Constitution requires one year of residency in the legislative district and three years of residency in California, based upon a 1976 Secretary of State Opinion (No. 76, 2-4-76) and a 1979 Attorney General Opinion (62 Op. Atty.Gen 365), these provisions violate the U.S. Constitution and are unenforceable.0

Candidate Qualifications and Information
Offices to Be Voted on at the March 3, 2020, Presidential Primary Election

Voter-Nominated Offices (cont.)

Office	Term of Office	Term Begins	Districts	Qualifications
Member of the State Assembly	2 years	Dec. 7, 2020	80	<p>Citizen of the United States, resident of California, registered voter in the district at the time nomination papers are issued, and otherwise qualified to vote for that office. Members of the Assembly who were elected before June 2012 may not serve more than three terms in the State Assembly, for all others, may not serve more than 12 years in the Senate, the Assembly, or both, in any combination of terms. May not have been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes, or for being an official interested in contracts, or becoming a vendor or purchaser at sales, or purchasing scrip or other evidences of indebtedness, in which the official has financial interest.</p> <p style="text-align: right;">§§ 20, 201; Gov. Code § 1097; Cal. Const., art. IV, § 2¹</p>

¹Although Article IV, section 2(c) of the California Constitution requires one year of residency in the legislative district and three years of residency in California, based upon a 1976 Secretary of State Opinion (No. 76, 2-4-76) and a 1979 Attorney General Opinion (62 Op. Atty.Gen 365), these provisions violate the U.S. Constitution and are unenforceable.