

# California Ballot Design Advisory Committee 2021

## Draft revisions to instructions on ballots for discussion

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### General notes

Space on a ballot is precious. Instructions should be the minimum information needed to accurately mark a ballot so that it can be counted. Counties can include additional information in the voter guide or in signage at vote centers.

Counties need the flexibility to adapt instructions to be accurate and appropriate for their voting systems. The code should:

- Describe the information that must be provided in a general way, for example how to mark a selection or how to get a new ballot if you make a mistake
- Provide sample text that counties can use and adapt
- Write short, clear text without using legal jargon
- Specific instructions can be omitted if not relevant to the ballot (for example write-in information on a general election ballot)

Write the sample text to make substitutions for local systems easy.

- In this document, text that is likely to be adapted is [enclosed in square brackets]
- Use phrases like “next to” that minimize the need for problem-solving unless a more precise term ( “to the left of” ) is important to help voters avoid mistakes
- Avoid over-precision. Consider the difference between “vote for two” and “vote for not more than two” Do the extra words help voters, or just add complexity?

### Typography

- No text should be in ALL CAPS. Counties can use bold for emphasis and titles
- Prefixes like “Warning” or “Important” are not needed. All text on the ballot is important. The layout and placement of information should be designed to make it easy to see, without jumping up and down like a 2-year old.
- Illustrations for marking the ballot are encouraged, but not required, using an image accurate for the county voting system, such as the ones in the civic images and icons library (a collection that started in California)



## At the beginning of the ballot.

These instructions include the Must-Haves and the Warnings/Checks

Must Haves:

- How to vote for a candidate or in a contest with Yes/No
- How to write in a candidate
- What to do if you make a mistake

Warnings/Checks

- Don't overvote
- Vote on whatever you want, or don't, it's all good
- A mistake in one spot doesn't invalidate the rest of the ballot

Section	Scope	Current text	Suggested sample text
13204-a	General marking instructions.	<p>To vote for a candidate whose name appears on the ballot, mark the voting target next to the candidate's name.</p> <p>Where two or more candidates for the same office are to be elected, place a mark next to the names of all candidates for the office for whom you desire to vote, not to exceed, however, the number of candidates to be elected.</p> <p>To vote on any measure, mark the voting target next to the word "Yes" or after the word "No".</p> <p>To vote for a qualified write-in candidate, write the person's name in the blank space provided for that purpose after the names of the other candidates for the same office.</p> <p>Marking the ballot outside of the designated space to vote for a candidate or measure may compromise the secrecy of the ballot.</p> <p>If you wrongly mark, tear, or deface this ballot, return it to the precinct board member and obtain another.</p>	<p><b>Instructions for voting</b></p> <ul style="list-style-type: none"> <li>• To vote for a candidate, [completely fill in the oval] next to their name, or the word Yes or No.</li> <li>• To vote for a <b>qualified</b> write-in candidate, write the name in the blank space provided.</li> </ul> <p>Make sure your vote counts:</p> <ul style="list-style-type: none"> <li>• Do not select more candidates than the number to be elected.</li> <li>• If you make a mistake, [instructions for making a correction] or [ask for a new ballot].</li> <li>• You may vote in as many or as few contests as you want.</li> <li>• A mistake in one contest does not affect the rest of the ballot.</li> </ul> <p><b>Mistake instructions possibilities</b></p> <ul style="list-style-type: none"> <li>• If you make a mistake, make a correction in a way that clearly indicates your intended vote.</li> </ul> <p>Or, from Colorado</p>

		On vote by mail ballots mark with pen or pencil.	 <p>If you make a mistake, draw a bold line through the oval and candidate name marked by mistake. Then, fill in the oval next to the correct name.</p>
Add	Suggestions from BDAC	Leaving one contest blank does not invalidate the other part Overvoting in one contest does not affect another contest	(see above)
Add	Recall ballot	You may vote on the recall question regardless of whether you vote for a successor candidate  You may vote for a successor candidate regardless of whether or how you vote on the recall question.	<ul style="list-style-type: none"> <li>You may vote on the recall question whether or not you vote for a candidate.</li> <li>Vote for a candidate to be elected if the recall succeeds. You may vote for a candidate no matter how you vote on the recall question.</li> </ul>

### Instructions in the contest header, below the name of the office

These are pretty short and probably uncontroversial. There are a lot of variations but in the end, only a few constructs

- Don't use numerals because they can be confused with a district or seat number

Section	Scope	Current text	Suggested text
	Vote-for-1 contest		Vote for One Or Vote for one
	Vote-for-# contest		Vote for Three Or Vote for three
13204-a	Ballot questions	To vote on any measure, mark the voting target next to the word "Yes" or after the word "No".	Vote Yes or No Or OMIT
13204-a	Judges	To vote for a candidate for Chief Justice of California; Associate Justice of the Supreme Court; Presiding	Vote Yes or No is in the question text.

		Justice, Court of Appeal; or Associate Justice, Court of Appeal, mark the voting target next to the word “Yes,” to the right of the name of the candidate. To vote against that candidate, mark the voting target next to the word “No,” to the right of the name of that candidate.”	
Add	Recall instructions		<p><i>In the contest header of the recall question</i> Vote Yes or No.</p> <p><i>In the contest header of the candidates</i> Vote for One</p>

### Instructions for primary and general elections about party preference designations

This section includes a lot of complicated civics and CA legal fine points. The basic needed might be:

13205 – Primary Delegates for President and Presidential Electors in the General

These are explanations that you aren’t actually voting for a person but for delegates or electors.

- Somehow combine with other special instructions for Presidential Primary/General
- Keep it brief, the ballot isn’t the place for a civics lesson.

13206 – Top Two Instructions and all the circumstances Top Two makes

- Primary, Presidential
  - Parties let you vote if you’re a member or an NPP
- General, Presidential
  - Everyone can vote for whoever they want, the candidates are the ones chosen by the party
- Primary and General, Top Two/Non-partisan
  - Everyone can vote for whoever they want, party is not an endorsement, and local candidates don’t disclose party.

### Primary elections

Section	Scope	Current text	Suggested text
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13205-a	Primary Convention delegates	To vote for the group of candidates preferring a person whose name appears on the ballot, mark the voting target next to the name of the person preferred. To vote for a group of candidates not expressing a preference for a particular candidate, mark the voting target next to the name of the chairman of the group.	To vote for a candidate for the party's nomination for president [fill in the oval] next to their name.
13206	Primary	<p>“Party-Nominated Offices. Only voters who disclosed a preference upon registering to vote for the same party as the candidate seeking the nomination of any party for the Presidency or election to a party committee may vote for that candidate at the primary election unless the party has adopted a rule to permit non-party voters to vote in its primary elections.”</p> <p>60 words</p>	<p><b>Party-Nominated Offices</b> You must be registered in the candidates’ party to vote in this primary election for President.</p> <p>OR, depending on party</p> <p>Voters registered in the candidates’ party and those with no party preference may vote in this primary election for President.</p>
13206	Primary	<p>Voter-Nominated and Nonpartisan Offices.” All voters, regardless of the party preference they disclosed upon registration, or refusal to disclose a party preference, may vote for any candidate for a voter-nominated or nonpartisan office. The party preference, if any, designated by a candidate for a voter-nominated office is selected by the candidate and is shown for the information of the voters only. It does not imply that the candidate is nominated or endorsed by the party or that the party approves of the candidate. The party preference, if any, of a candidate for a nonpartisan office does not appear on the ballot”</p> <p>101 words</p>	<p><b>Voter-Nominated Offices</b> <b>All voters may vote for in these contests.</b> Candidates display a party preference (or None) for the information of voters. This is not a party endorsement or approval.</p> <p><b>Nonpartisan Offices</b> <b>All voters may vote in all of these contests.</b> Candidates for these offices do not display a party preference.</p>

## General elections

Section	Scope	Current text	Suggested text
13205-b	General Presidential electors	To vote for all of the electors of a party, mark the voting target next to the names of the presidential and vice presidential candidates of that party. A mark of the voting target next to the name of a party and its presidential and vice presidential candidate, is a vote for all of the electors of that party, but for no other candidates	<p><b>To vote for President and Vice President</b>, [fill in the oval] next to their names. This is a vote for electors pledged to those candidates.</p> <p>To vote for candidates for President and Vice President who do not appear on the ballot, write their name in the blank space provided for write-ins.</p>
13205-c	General Presidential electors - non-party candidate	To vote for those electors of a party who have pledged themselves to vote for a candidate for President and Vice President not supported by any political party, mark the voting target next to the names of those presidential and vice presidential candidates.	As above.
13205-d	Presidential electors - a party not qualified to participate in the election	To vote for those electors who have pledged themselves to vote for a candidate for President and Vice President of any party not qualified to participate in the election, write in the names and the party of those presidential and vice presidential candidates in the blank space provided for that purpose.	As above
13206.5	General	<p>“Party-Nominated Offices The party label accompanying the name of a candidate for party-nominated office on the general election ballot means that the candidate is the official nominee of the party shown.”</p>	<p><i>At the top</i> <b>All voters may vote for all contests and questions on this general election ballot.</b></p> <p><i>Before President</i> Candidates for President and Vice President are the official nominee of the party shown.</p> <p><i>Before voter-nominated</i> Candidates for voter-nominated offices display a party preference (or “None”) for your information. This is not a party endorsement or approval.</p> <p><i>Before nonpartisan</i> Candidates for local offices do not state a party preference.</p>

13206.5	General	<p>“Voter-Nominated and Nonpartisan Offices.” All voters, regardless of the party preference they disclosed upon registration, or refusal to disclose a party preference, may vote for any candidate for a voter-nominated or nonpartisan office. The party preference, if any, designated by a candidate for a voter-nominated office is selected by the candidate and is shown for the information of the voters only. It does not imply that the candidate is nominated or endorsed by the party or that the party approves of the candidate. The party preference, if any, of a candidate for a nonpartisan office does not appear on the ballot.”</p>	See above
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