



**SHIRLEY N. WEBER, Ph.D.** | SECRETARY OF STATE | STATE OF CALIFORNIA  
ELECTIONS DIVISION

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June 28, 2021

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 21076

TO: All County Clerks/Registrars of Voters

FROM: /s/ Kirsten Larsen  
Election Services Manager

RE: Ballot Design Advisory Committee: July 8, 2021, Meeting

Attached is the notice and agenda for the next Ballot Design Advisory Committee (BDAC) meeting to be held on Thursday, July 8, 2021, at 2:30 p.m. via teleconference.

County elections officials and members of the public are welcome to attend by calling in to the conference number listed on the agenda.

Please feel free to contact Reina Miller with any questions at (916) 695-1557 or [rmiller@sos.ca.gov](mailto:rmiller@sos.ca.gov).

Thank you.



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June 28, 2021

**Public Meeting Notice and Agenda**

Ballot Design Advisory Committee  
(BDAC)

Due to the ongoing concerns related to COVID-19, and consistent with Executive Order N-29-20, there will not be a public meeting location for this meeting. This meeting will be available to the public via teleconference.

Date and time: Thursday, July 8, 2021, 2:30 p.m.

Conference call number: +1-216-706-7005 or +1-866-434-5269

Conference Code: 656889

Videoconference Link: <https://zoomlink>

Video Conference Password: 62knWt!C

# **Agenda**

Ballot Design Advisory Committee  
(BDAC)

Thursday, July 8, 2021, 2:30 p.m.

1. Welcome, Call to Order, Roll Call, and Declaration of Quorum
2. Swearing-in Ceremony by Secretary Weber
3. Discuss Potential Ballot Design Issues Presented by AB 1416 and SB 90
4. California Elections Code Sections Applicable to Ballot Design
5. Public Comments and Future Agenda Items

Public comment period and opportunity to suggest future agenda items

6. Adjournment

## Important Notices to the Public:

- This meeting is open to the public and is accessible to the physically disabled.
- In accordance with Title II of the Americans with Disabilities Act of 1990, reasonable accommodations are available. Providing accommodation requests at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.
- Any person who needs a disability-related accommodation or modification in order to participate in the meeting, or any person wanting to subscribe to future meeting notices and agendas, may make a request by contacting Reina Miller at (916) 695-1557, by emailing [BDAC@sos.ca.gov](mailto:BDAC@sos.ca.gov) or [RMiller@sos.ca.gov](mailto:RMiller@sos.ca.gov), or by sending a written request to Reina Miller, 1500 11th Street, 5th Floor, Sacramento, CA 95814.
- Discussion and action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the committee and may be taken out of order.
- Persons interested in addressing the committee on any agenda item will be given an opportunity to speak. The committee may limit the time for each individual speaker.
- The committee may not discuss or take action on any matter raised that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. (Government Code sections 11125, 11125.7(a).)

Code: Section: [Up^](#) [Add To My Favorites](#)**ELECTIONS CODE - ELEC****DIVISION 13. BALLOTS, SAMPLE BALLOTS, AND VOTER PAMPHLETS [13000 - 13502]** (*Division 13 enacted by Stats. 1994, Ch. 920, Sec. 2.*)**CHAPTER 3. Ballot Printing Specifications [13200 - 13282]** (*Chapter 3 enacted by Stats. 1994, Ch. 920, Sec. 2.*)**ARTICLE 1. General Provisions [13200 - 13220]** (*Article 1 enacted by Stats. 1994, Ch. 920, Sec. 2.*)

**13200.** Ballots not printed in accordance with this chapter shall not be cast nor counted at any election.  
(*Enacted by Stats. 1994, Ch. 920, Sec. 2.*)

**13201.** The ballots of each political party's central committee shall be designed so that each ballot may be easily and clearly distinguished from, and not confused with, a ballot of any other political party.  
(*Amended by Stats. 1998, Ch. 199, Sec. 43. Effective January 1, 1999.*)

**13202.** All ballots of the same sort prepared by any county elections official, clerk or secretary of a legislative body, or other person having charge of preparing ballots for the same polling place, shall be precisely the same size, arrangement, quality and tint of paper, and kind of type, and shall be printed with ink of the same tint, so that without the numbers on the stubs it is impossible to distinguish any one of the ballots from the other ballots of the same sort. The names of all candidates printed upon the ballot shall be in type of the same size and character. If there is not sufficient space for a candidate name, the size may be adjusted as close as possible to the size and character of all the other candidate names printed upon the ballot.  
(*Amended by Stats. 2019, Ch. 863, Sec. 5. (AB 623) Effective January 1, 2020.*)

**13203.** Across the top of the ballot shall be printed in boldface capital type not smaller than 30-point, the words "OFFICIAL BALLOT." Beneath this heading, in the case of a partisan primary election, shall be printed in 18-point boldface capital type the official party designation or the words "NONPARTISAN BALLOT" as applicable. Beneath the heading line or lines, there shall be printed, in boldface type as large as the width of the ballot makes possible, the number of the congressional, Senate, and Assembly district, the name of the county in which the ballot is to be voted, and the date of the election.  
(*Amended by Stats. 2019, Ch. 863, Sec. 6. (AB 623) Effective January 1, 2020.*)

**13204.** (a) The instructions to voters shall be printed below the district designation. The instructions shall begin with the words "INSTRUCTIONS TO VOTERS:" in no smaller than 16-point capital type. Thereafter, there shall be printed in 10-point capital type all of the following directions that are applicable to the ballot:

"To vote for a candidate for Chief Justice of California; Associate Justice of the Supreme Court; Presiding 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."

"To vote for any other candidate of your selection, mark the voting target next to the candidate's name. [When justices of the Supreme Court or Court of Appeal do not appear on the ballot, the instructions referring to voting after the word "Yes" or the word "No" will be deleted and the above sentence shall read: "To vote for a candidate whose name appears on the ballot, mark the voting target next to the candidate's name."] 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."

"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."

"To vote on any measure, mark the voting target next to the word "Yes" or after the word "No."

"Marking the ballot outside of the designated space to vote for a candidate or measure may compromise the secrecy of the ballot."

"If you wrongly mark, tear, or deface this ballot, return it to the precinct board member and obtain another."

"On vote by mail ballots mark with pen or pencil."

(b) The instructions to voters shall be separated from the portion of the ballot that contains the various offices and measures to be voted on.

*(Amended by Stats. 2019, Ch. 863, Sec. 7. (AB 623) Effective January 1, 2020.)*

**13205.** Additional instructions to voters shall appear on the ballot prior to those provided for in Section 13204 under the following conditions:

(a) In a primary election at which candidates for delegate to national convention are to be voted upon, the instructions shall read:

"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."

(b) In elections when electors of President and Vice President of the United States are to be chosen, there shall be placed upon the ballot, in addition to the instructions to voters as provided in this chapter, an instruction as follows:

"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."

(c) If a group of candidates for electors has been nominated under Chapter 3 (commencing with Section 8400) of Division 8, and has under Chapter 1 (commencing at Section 8300) of Division 8 designated the names of the candidates for President and Vice President of the United States for whom those candidates have pledged themselves to vote, the instructions to voters shall also contain the following:

"To vote for those electors who have pledged themselves to vote for a candidate for President and Vice President not supported by any particular party mark the voting target next to the names of those presidential and vice presidential candidates."

(d) If a group of candidates for electors has been nominated by a party not qualified to participate in the election, the instructions to voters shall also contain the following:

"To vote for those electors who have pledged themselves to vote for a candidate for President and for Vice President of any party not qualified to participate in the election write in the names and party of those presidential and vice presidential candidates in the blank space provided for that purpose."

*(Amended by Stats. 2019, Ch. 863, Sec. 8. (AB 623) Effective January 1, 2020.)*

**13206.** (a) On the partisan ballot used in a direct primary election, immediately below the instructions to voters, there shall be a box. Within the box shall be printed the words "Party-Nominated Offices." Immediately below that phrase within the same box shall be printed the following: "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."

(b) The same style of box described in subdivision (a) shall also appear over the columns of the nonpartisan part of the ballot and within the box in the same style and point size of type shall be printed "Voter-Nominated and Nonpartisan Offices." Immediately below that phrase within the same box shall be printed the following:

"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."

*(Amended by Stats. 2019, Ch. 863, Sec. 9. (AB 623) Effective January 1, 2020.)*

**13206.5.** (a) (1) On the ballot used in a statewide general election in each year evenly divisible by the number four, immediately below the instructions to voters, there shall be a box. Within the box shall be printed the words "Party-Nominated Offices." Immediately below that phrase within the same box shall be printed the following: "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."

(2) On the ballot used in a statewide general election in each year evenly divisible by the number four, following the portion of the ballot for party-nominated offices, the same style of box described in paragraph (1) shall appear and within the box in the same style and point size of type shall be printed "Voter-Nominated and Nonpartisan Offices." Immediately below that phrase within the same box shall be printed the following: "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."

(b) On the ballot used in a statewide general election in each even-numbered year that is not evenly divisible by the number four, immediately below the instructions to voters, there shall be a box. Within the box shall be printed the words "Voter-Nominated and Nonpartisan Offices." Immediately below that phrase within the same box shall be printed the following: "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."

*(Amended by Stats. 2019, Ch. 863, Sec. 10. (AB 623) Effective January 1, 2020.)*

**13207.** (a) There shall be printed on the ballot in parallel columns all of the following:

(1) The respective offices.

(2) The names of candidates with sufficient blank spaces to allow the voters to write in names not printed on the ballot, except that no spaces shall be printed for voter-nominated offices at a general election.

(3) Whatever measures have been submitted to the voters.

(b) In the case of a ballot which is intended for use in a party primary and which carries partisan offices, voter-nominated offices, and nonpartisan offices, a vertical solid black line shall divide the columns containing partisan offices, on the left, from the columns containing nonpartisan offices and voter-nominated offices, on the right.

(c) The standard width of columns containing partisan offices, nonpartisan offices, and voter-nominated offices, shall be three inches except that an elections official may vary the width of these columns by up to one inch. The column containing presidential and vice presidential candidates may be as wide as four inches.

(d) A measure that is to be submitted to the voters shall be printed in one or more parallel columns to the right of the columns containing the names of candidates and shall be of sufficient width to contain the title and summary of the measure. To the right of or below the title and summary shall be printed, on separate lines, the words "Yes" and "No."

*(Amended by Stats. 2018, Ch. 57, Sec. 5. (AB 2835) Effective January 1, 2019.)*

**13208.** (a) In the right-hand margin of each column light vertical lines shall be printed in such a way as to create a voting target next to the name of each candidate for partisan office, voter-nominated office, nonpartisan office (except for Justice of the Supreme Court or justice of a court of appeal), or for chairperson of a group of candidates for delegate to a national convention who express no preference for a presidential candidate. In the case of Supreme Court or appellate justices and in the case of measures submitted to the voters, the lines shall be printed so as to create voting targets to the right of the words "Yes" and "No." The voting targets shall be used by the voters to express their choices as provided for in the instruction to voters.

(b) The standard voting target may be up to one-half inch wide. Voting targets for measures may be as tall as is required by the space occupied by the title and summary.

(c) As used in this section, "target" means an object designated as the aim for a voter to make a vote selection.

*(Amended by Stats. 2019, Ch. 863, Sec. 11. (AB 623) Effective January 1, 2020.)*

**13209.** Whenever a foreign translation of the ballot is required by the federal Voting Rights Act of 1965, as amended by Public Law 94-73, to appear on the ballot as well as the English language version, the ballot, including a ballot reference page or pages as specified in Section 301, may be so designed as to place the foreign translation next to the voting target.

*(Amended by Stats. 2019, Ch. 863, Sec. 12. (AB 623) Effective January 1, 2020.)*

**13210.** (a) In the case of candidates for delegate to national convention, there shall be printed in boldface type, not smaller than 12-point, across the column above the names of the persons preferred by the groups of candidates for delegates, the words, "President of the United States." The words "Vote for one group only" shall extend to the extreme right-hand margin of the column.

(b) In the case of candidates for President and Vice President, the words "Vote for One Party" shall appear just below the heading "President and Vice President" and shall be printed so as to appear above the voting targets for that office. The heading "President and Vice President" shall be printed in boldface 12-point type.

(c) In that section of the ballot designated for judicial offices, next to the heading "judicial" shall appear the instruction: "Vote yes or no for each office."

(d) In the case of candidates for Justice of the Supreme Court and court of appeal, within the rectangle provided for each candidate, and immediately above each candidate's name, there shall appear the following: "For (designation of judicial office)." There shall be as many of these headings as there are candidates for these judicial offices. No heading shall apply to more than one judicial office. Underneath each heading shall appear the words "Shall (title and name of Justice) be elected to the office for the term provided by law?"

(e) In the case of all other candidates, each group of candidates to be voted on shall be preceded by the designation of the office for which they are running, and the words "vote for one" or "vote for no more than two," or more, according to the number to be nominated or elected. The designation of the office shall be printed flush with the left-hand margin in boldface type not smaller than 8-point. The words, "vote for \_\_\_\_" shall extend to the extreme right-hand margin of the column. The number of candidates to be nominated or elected shall be printed in boldface type. The designation of the office and the directions for voting shall be separated from the candidates by a light line. There shall be no line between the headings for federal or legislative offices and the designation of the office and the directions for voting.

*(Amended by Stats. 2019, Ch. 863, Sec. 13. (AB 623) Effective January 1, 2020.)*

**13211.** The names of the candidates shall be printed on the ballot, without indentation, in capital, boldface type not smaller than 8-point.

*(Amended by Stats. 2019, Ch. 863, Sec. 14. (AB 623) Effective January 1, 2020.)*

**13211.5.** (a) Each group of names of candidates for a particular office shall be printed in immediate succession to another group of names of candidates for a particular office so as to avoid unnecessary spacing or gaps in the sequence in which each series of groups of names are listed on the ballot.

(b) If it is necessary to leave spaces on the ballot in order to provide for the most efficient and least costly process of printing ballots, the spaces shall be located at the end of a column, page, or ballot card wherever possible.

(c) If due to voting system constraints it is necessary to leave a space between offices on a column, page, or ballot card, and the space exceeds one inch, written instructions and a downward arrow or other visual indicator shall be printed on the ballot to direct the voter to the next voting space.

*(Added by Stats. 1996, Ch. 333, Sec. 1. Effective August 5, 1996.)*

**13211.7.** (a) (1) In jurisdictions required to provide translated ballot materials pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503), as that section may be amended from time to time, any ballot that provides a translation of a candidate's name shall contain a phonetic transliteration of the candidate's name, except as provided in subdivision (b).

(2) This section applies only to character-based languages, including, but not limited to, Mandarin Chinese, Cantonese, Japanese, and Korean.

(3) If a candidate's name is to appear on the ballot in more than one jurisdiction in an election, all of those jurisdictions required to provide translated ballot materials pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503) shall use the same phonetic transliteration or character-based translation of the name.



(4) (A) In a jurisdiction in which separate ballots containing translations of the candidates' names are printed in different languages, both the alphabet-based names and the translations of the candidates' names, for candidates that have translated names, shall appear on the translated ballot.

(B) If a jurisdiction is unable to comply with subparagraph (A) due to limitations of its existing voting system, any new voting system purchased by the jurisdiction after July 1, 2020, shall be able to accommodate the requirements of subparagraph (A).

(b) If a candidate has a character-based name by birth, that can be verified by birth certificate or other valid identification, the candidate may use that name on the ballot instead of a phonetic transliteration. A candidate who does not have a character-based name by birth, but who identifies by a particular character-based name and can demonstrate to the local elections official that the candidate has been known and identified within the public sphere by that name over the past two years, may use that name instead of a phonetic transliteration.

*(Added by Stats. 2019, Ch. 82, Sec. 1. (AB 57) Effective January 1, 2020.)*

**13212.** Except for a voter-nominated office at a general election, under the designation of each office shall be printed as many blank spaces, defined by light lines.

*(Amended by Stats. 2019, Ch. 863, Sec. 15. (AB 623) Effective January 1, 2020.)*

**13213.** Each group of names of candidates for a particular office shall be separated from the succeeding group. Each series of groups shall be headed by the caption "President of the United States," "President and Vice President," "State," "United States Senator," "United States Representative," "State Senator," "Member of the State Assembly," "County," or "City" or other proper general classification, as the case may be, printed in boldface capital type. Each caption shall be separated from the names of the candidates beneath.

*(Amended by Stats. 2019, Ch. 863, Sec. 16. (AB 623) Effective January 1, 2020.)*

**13214.** The left-hand side of the first column of names on the ballot and the right-hand side of the last column of voting targets on the ballot shall be bordered. The binding or stitching of each package of ballots shall be along the top or head of the ballot. If ballots are to be used on a ballot on demand system or another system that prints content onto ballots, ballots are not required to be bound or stitched.

*(Amended by Stats. 2019, Ch. 863, Sec. 17. (AB 623) Effective January 1, 2020.)*

**13215.** (a) The ballots may be printed on the same leaf with a stub not over one inch in depth. The stub may be separated from the ballot by a horizontal perforated line or rule from side to side. Upon this stub shall be printed only the number of the ballot.

(b) Stubs are not required on ballots to be used on a ballot on demand system or another system that prints content onto the ballot.

*(Amended by Stats. 2019, Ch. 863, Sec. 18. (AB 623) Effective January 1, 2020.)*

**13216.** (a) On each ballot a horizontal non-solid-ruled line shall extend across the top of the ballot below the horizontal perforated line. The same number appearing on the stub shall be printed above the horizontal, non-solid-ruled line on the left side of the ballot. Above this number shall be printed in parentheses in small type as follows: "(This number shall be torn off by a precinct board member and handed to the voter.)". The words "I HAVE VOTED —HAVE YOU?" may also be printed immediately above or below the number.

(b) (1) Next to the ballot number there shall be a short vertical perforated rule or line extending upward from the horizontal non-solid-ruled line to the horizontal perforated line. Immediately above this horizontal non-solid-ruled line shall be printed in boldface lowercase type, at least 12-point in size, enclosed in parentheses, the following: "Fold ballot to this line leaving top margin exposed."

(2) Above this printed direction and midway between it and the top edge of the ballot shall be printed in boldface uppercase type, at least 12-point in size, the following: "Mark the ballot with pen or pencil."

(3) Below this direction and midway between it and the next line shall be printed in boldface uppercase type, at least 12-point in size, enclosed in parentheses and with the first four and last five words underlined or otherwise made prominent, the following: "(VOTE BY MAIL BALLOTS MAY BE MARKED WITH PEN AND INK OR PENCIL.)"

(c) A ballot stub is not required if the information listed in subdivisions (a) and (b) is presented to the voter on a separate form accompanying the ballot.

*(Amended by Stats. 2019, Ch. 863, Sec. 19. (AB 623) Effective January 1, 2020.)*

**13216.5.** A ballot stub may be used, but is not required, for a ballot produced on demand if the quantity of ballots produced for the election can be reconciled by the ballot processing method used by the system generating the ballot for use. The ballots may contain printed and distinguishing marks if secrecy in voting is protected.

*(Amended by Stats. 2019, Ch. 863, Sec. 20. (AB 623) Effective January 1, 2020.)*

**13217.** (a) The number on each ballot shall be the same as that on the corresponding stub, and the ballots and stubs shall be numbered consecutively in each county, or the ballots and stubs may be numbered consecutively within each combination of congressional, senatorial, and Assembly districts in each county. In a partisan primary election, the sequence of numbers on the official ballots and stubs for each party within each county, or within each political subdivision in each county, shall begin with the number 1.

(b) In counties using vote centers, ballots may be serialized in the way that best promotes ballot accounting and with the greatest economic efficiency for the county.

*(Amended by Stats. 2019, Ch. 863, Sec. 21. (AB 623) Effective January 1, 2020.)*

**13218.** (a) The Secretary of State shall establish a ballot design advisory committee to assist the Secretary of State to promulgate regulations that prescribe ballot design and format.

(b) The ballot design advisory committee shall consist of the Secretary of State, or the secretary's designee, and members to be appointed by the Secretary of State who are recognized ballot design experts and county elections officials or a designee of a county elections official. Each recognized ballot design expert shall have demonstrated experience with ballot design requirements and knowledge of presenting election materials to voters using plain language methods or another method that is easy for voters to access and understand.

*(Added by Stats. 2019, Ch. 863, Sec. 22. (AB 623) Effective January 1, 2020.)*

**13219.** When printed, all ballots shall be bound in stub books, of such size as the clerk may determine. A record of the number of ballots printed shall be kept by the officer authorizing the printing. If stubs are not used pursuant to Section 13216, ballots may be bound by another method determined by the county elections official.

*(Amended by Stats. 2019, Ch. 863, Sec. 23. (AB 623) Effective January 1, 2020.)*

**13220.** If two or more officers are to be elected for the same office for different terms, the terms for which each candidate for the office is nominated shall be printed on the ballot as a part of the title of the office. If at a general election an office is to be filled for a full term and also for a vacancy in another term, the list of candidates for the full term shall be placed on the ballot under the designation of the office with the words "Full Term" printed immediately after that designation, and the list of candidates to fill the vacancy shall be placed on the ballot under the designation of the office with the words "Short Term" printed immediately after that designation.

*(Enacted by Stats. 1994, Ch. 920, Sec. 2.)*

Code: Section: [Up^](#) [Add To My Favorites](#)**ELECTIONS CODE - ELEC****DIVISION 13. BALLOTS, SAMPLE BALLOTS, AND VOTER PAMPHLETS [13000 - 13502]** ( *Division 13 enacted by Stats. 1994, Ch. 920, Sec. 2.* )**CHAPTER 3. Ballot Printing Specifications [13200 - 13282]** ( *Chapter 3 enacted by Stats. 1994, Ch. 920, Sec. 2.* )**ARTICLE 2. Allowable Changes in Ballot Format and Printing [13230 - 13233]** ( *Article 2 enacted by Stats. 1994, Ch. 920, Sec. 2.* )

**13230.** (a) If the county elections official determines that, due to the number of candidates and measures that must be printed on the ballot, the ballot will be larger than may be conveniently handled, the county elections official may provide that a nonpartisan ballot shall be given to each partisan voter, together with his or her partisan ballot, and that the material appearing under the heading "Voter-Nominated and Nonpartisan Offices" on partisan ballots, as well as the heading itself, shall be omitted from the partisan ballots.

(b) If the county elections official so provides, the procedure prescribed for the handling and canvassing of ballots shall be modified to the extent necessary to permit the use of two ballots by partisan voters. The county elections official may, in this case, order the second ballot to be printed on paper of a different tint, and assign to those ballots numbers higher than those assigned to the ballots containing partisan offices.

(c) "Partisan voters," for purposes of this section, includes both persons who have disclosed a party preference pursuant to Section 2151 or 2152 and persons who have declined to disclose a party preference, but who have chosen to vote the ballot of a political party as authorized by that party's rules duly noticed to the Secretary of State.

(*Amended by Stats. 2012, Ch. 3, Sec. 41. (AB 1413) Effective February 10, 2012.*)

**13231.** If the elections official of any county finds it necessary in connection with the use of any approved method of vote counting, the elections official may provide for any of the following changes in the format of ballots in one or more precincts at any election:

(a) Ballots may be bound and padded at the side.

(b) The left and right edge of ballots may be trimmed to the edge of printed material.

(c) A series of punched holes may be provided in the upper right-hand portion of each ballot.

(d) The ballot number may be placed at any place along the top left-hand corner of the ballot.

(e) A cutout section, not to exceed two inches in depth, commencing at the left-hand edge of the far right column of the ballot, may be provided along the top edge of the ballot.

(f) Press perforations may be placed between columns of the ballot, from top to bottom, to permit the folding of the ballot at each perforation.

(g) "Yes" and "No" columns where necessary, may be as narrow as one-quarter inch wide.

(h) The instructions to voters may be placed at the bottom of the ballot instead of at the top of the ballot, and an appropriate reference to the location of the instructions may be printed in the upper right portion of the ballot.

(i) The ballot serial number may be placed on any position of the ballot that does not impact other required text or voting targets on the ballot card.

(*Amended by Stats. 2019, Ch. 863, Sec. 24. (AB 623) Effective January 1, 2020.*)

**13232.** Notwithstanding any other provision of law, for the purpose of conducting the Democratic Party Presidential Primary Election, the Secretary of State may, if it is reasonably necessary to accommodate the limitations of a voter

system or vote tabulating device, authorize the county elections officials to do any or all of the following:

(a) Vary the order of any office or measure listed in Section 13109, with the exception of President of the United States, United States Representative, State Senator, Member of the Assembly, and judicial offices.

(b) Place any office listed in Section 13109 on a second ballot, with the exception of United States Representative, State Senator, Member of the State Assembly, judicial offices, County Superintendent of Schools, County Board of Education Members, and county officers.

(c) Place any ballot measure, other than a state measure, on a separate ballot.

*(Enacted by Stats. 1994, Ch. 920, Sec. 2.)*

**13233.** In a municipal election, if the number of candidates for an office is such that all of the names will not fit in one column of reasonable length, a double column may be used, and all of the following provisions shall apply:

(a) The space between the two halves of the double column shall be less than that between the double column and any other columns on the ballot, and the lines separating the columns and the two halves of the double column shall be printed so as to emphasize the fact that the candidates in the double column are running for the same office.

(b) The designation of the office and any other words required to be at the top of a single column shall be printed across the top of the entire double column with no dividing line. The words "Vote for one," "Vote for two," or more, as the case may be, shall be centered over the entire double column and shall be printed below any other words at the top of the double column.

(c) The names of the candidates, including the blank space or spaces necessary to permit the voter to write in the names of persons not printed on the ballot, shall be apportioned as equally as possible between the two columns. The odd space, if any, shall be included in the left-hand column.

(d) The double column shall be used for no more than one office and for no more than one term for any office.

(e) The order of names and blank spaces in the double column shall be the same as would apply to a single column with the left-hand side of the double column taken first.

*(Enacted by Stats. 1994, Ch. 920, Sec. 2.)*

Code: Section: [Up^](#) [Add To My Favorites](#)**ELECTIONS CODE - ELEC****DIVISION 13. BALLOTS, SAMPLE BALLOTS, AND VOTER PAMPHLETS [13000 - 13502]** ( *Division 13 enacted by Stats. 1994, Ch. 920, Sec. 2.* )**CHAPTER 3. Ballot Printing Specifications [13200 - 13282]** ( *Chapter 3 enacted by Stats. 1994, Ch. 920, Sec. 2.* )**ARTICLE 3. Vote Tabulating Devices [13240 - 13247]** ( *Article 3 enacted by Stats. 1994, Ch. 920, Sec. 2.* )

**13240.** Notwithstanding any other provisions of this code, the ballots to be counted by means of electronic or electromechanical devices may be of a size, composition, and texture that, and may be printed in any type of ink or combination of inks that, will be suitable for use in the counting devices in which they are intended to be placed.  
(*Enacted by Stats. 1994, Ch. 920, Sec. 2.*)

**13241.** The names of the candidates and the respective offices shall be printed on the ballot in parallel columns at least 2 inches wide.  
(*Amended by Stats. 2018, Ch. 57, Sec. 8. (AB 2835) Effective January 1, 2019.*)

**13242.** Where electromechanical vote tabulating devices are used to count all or part of the ballots, the names of presidential candidates may be printed in the same column as the names of candidates for other offices.  
(*Enacted by Stats. 1994, Ch. 920, Sec. 2.*)

**13243.** The ballots may contain printed code marks or punched holes that may be used for placing the ballots in correct reading position in the counting devices. The code marks or punched holes shall not be used in any way that will reveal the identity of the voters voting the ballots.  
(*Enacted by Stats. 1994, Ch. 920, Sec. 2.*)

**13244.** The county voter information guide provided pursuant to Chapter 4 (commencing with Section 13300) shall include a substantial facsimile of the official ballot, including instructions to voters.  
(*Amended by Stats. 2016, Ch. 422, Sec. 61. (AB 2911) Effective January 1, 2017.*)

**13246.** The device for marking the ballot may be of any size, shape, or form, and the impression made on the ballot may be in the form of a cross, square, circle, rectangle, or any other design that will clearly indicate the choice of the voter. Any type of ink or other substance that will clearly show the voter's choice may be used in or in conjunction with the marking device.  
(*Enacted by Stats. 1994, Ch. 920, Sec. 2.*)

**13247.** The statement of all measures submitted to the voters shall be abbreviated on the ballot in a ballot label as provided for in Section 9051. The ballot label shall be followed by the words, "Yes" and "No."  
(*Amended by Stats. 2009, Ch. 373, Sec. 38. (AB 753) Effective January 1, 2010.*)

Code: Section: [Up^](#) [Add To My Favorites](#)**ELECTIONS CODE - ELEC**

**DIVISION 13. BALLOTS, SAMPLE BALLOTS, AND VOTER PAMPHLETS [13000 - 13502]** (*Division 13 enacted by Stats. 1994, Ch. 920, Sec. 2.*)

**CHAPTER 3. Ballot Printing Specifications [13200 - 13282]** (*Chapter 3 enacted by Stats. 1994, Ch. 920, Sec. 2.*)

**ARTICLE 4. Punchcards [13260 - 13267]** (*Article 4 enacted by Stats. 1994, Ch. 920, Sec. 2.*)

**13260.** In approving ballots and ballot cards, the Secretary of State shall not give his or her approval unless the following are true:

- (a) The size, shape, and texture of the ballot card are suitable for use in the automatic device in which it is intended to be placed.
- (b) The ballot cards are so designed that they can readily be arranged with a section or ballot stub containing the serial number of the ballot and a section with places for the voter to slot or punch holes indicating his or her choices of candidates and votes on measures.
- (c) If the ballot is to consist of two or more series of cards, appropriate provision may be made for identifying the related series which comprise the ballot.

*(Enacted by Stats. 1994, Ch. 920, Sec. 2.)*

**13261.** (a) Each ballot card shall have two stubs attached. The stubs shall be separated from the ballot card and from each other by perforated lines so that they may be readily detached.

(b) (1) One stub shall have the serial ballot number printed on it, and shall be detached from the remainder of the ballot before it is handed to the voter.

(2) The second stub shall have printed on it all of the following:

- (A) The same ballot serial number.
- (B) The words "This ballot stub shall be removed and retained by the voter."
- (C) The words "OFFICIAL BALLOT" in uppercase boldface type no smaller than 12 point.
- (D) In primary elections, the party name, e.g., "Democratic Party," or the words "Nonpartisan Ballot," as applicable.
- (E) The name of the county.
- (F) The date of the election.
- (G) Where not otherwise provided, instructions to the voter on how to mark the ballot with the marking device, how to vote for a candidate whose name is not printed on the ballot, and how to secure an additional ballot card if the ballot card is spoiled or marked erroneously.

(3) If the information listed in subparagraphs (A) to (G), inclusive, of paragraph (2) must also appear in one or more languages other than English under the provisions of the federal Voting Rights Act of 1965 as extended by Public Law 94-73, and there is insufficient room for all the information to be set forth in all the required languages while at the same time appearing in a type size sufficiently large to be readable, the official in charge of the election may delete information set forth in subparagraphs (E) and (F) of paragraph (2), in the order listed, until there is sufficient room.

(c) In addition to the instructions to voters printed on the ballot or ballot stub, there shall be displayed in each voting booth instructions to voters substantially in the same form and wording as appears on paper ballots.

Precinct numbers may also be placed on the ballot.

*(Amended by Stats. 1996, Ch. 118, Sec. 1. Effective January 1, 1997.)*

**13262.** (a) The ballot shall contain the same material as to candidates and measures, and shall be printed in the same order as provided for paper ballots, and may be arranged in parallel columns on one or more ballot cards as required, except that the column in which the voter marks his or her choices may be at the left of the names of candidates and the designation of measures.

(b) If there are a greater number of candidates for an office or for a party nomination for an office than the number whose names can be placed on one pair of facing ballot pages, a series of overlaying pages printed only on the same, single side shall be used, and the ballot shall be clearly marked to indicate that the list of candidates for the office is continued on the following page or pages. If the names of candidates for the office are not required to be rotated, they shall be rotated by groups of candidates in a manner so that the name of each candidate shall appear on each page of the ballot in approximately the same number of precincts as the names of all other candidates.

(c) Space shall be provided on the ballot or on a separate write-in ballot to permit voters to write in names not printed on the ballot when authorized by law. The size of the voting square and the spacing of the material may be varied to suit the conditions imposed by the use of ballot cards, provided the size of the type is not reduced below the minimum size requirements set forth in Chapter 2 (commencing with Section 13100).

(d) The statement of measure submitted to the voters may be abbreviated if necessary on the ballot, provided that each and every statement of measures on that ballot is abbreviated. Abbreviation of matters to be voted on throughout the state shall be composed by the Attorney General.

*(Enacted by Stats. 1994, Ch. 920, Sec. 2.)*

**13263.** The county voter information guide provided pursuant to Chapter 4 (commencing with Section 13300) shall be printed in either of two formats: (a) booklet form, or (b) on one or more sheets on one or both sides. The county voter information guide shall be printed on white or tinted paper and shall include a substantial facsimile of the ballot, including instructions to voters.

*(Amended by Stats. 2016, Ch. 422, Sec. 62. (AB 2911) Effective January 1, 2017.)*

**13264.** If more than one ballot card is used at an election, different tints of cardboard stock or other suitable means may be used for each series of ballot cards to facilitate the sorting of ballots.

*(Enacted by Stats. 1994, Ch. 920, Sec. 2.)*

**13265.** If the number of offices and measures to be voted upon at an election cannot be accommodated on one ballot card, the elections official may, at his or her discretion, place part of the ballot upon more than one ballot card. He or she may also place part of the ballot upon the ballot card or ballot cards and the remainder upon paper, provided that a single ballot measure or the candidates for a single office may not be so split.

*(Enacted by Stats. 1994, Ch. 920, Sec. 2.)*

**13266.** If punchcard ballots are used for vote by mail voting, the ballots shall be marked by pencil, or by a marking device that enables the voter to register his or her vote by punching or slotting the ballot card. Counting of punchcard ballots marked by pencil may be as with paper ballots, or a true duplicate copy of each ballot may be prepared using the same procedure as provided by Section 15271. Vote by mail voter ballots so prepared shall be counted by the counting device.

*(Amended by Stats. 2007, Ch. 508, Sec. 75. Effective January 1, 2008.)*

**13267.** If an official ballot consisting of one or more individual ballot cards upon which the names of candidates and measures are printed is used for vote by mail voting, the two stubs specified in Section 13261 may be eliminated from the ballot cards by printing a group style number on each card and by printing the information required by subparagraphs (C), (D), (E), (F), and (G) of paragraph (2) of subdivision (b) of Section 13261 on a separate form accompanying the official ballot. If the two stubs are not eliminated, the language required by subparagraph (B) of paragraph (2) of subdivision (b) of Section 13261 to be printed on the second stub may be omitted.

*(Amended by Stats. 2007, Ch. 508, Sec. 76. Effective January 1, 2008.)*

AMENDED IN ASSEMBLY APRIL 22, 2021

AMENDED IN ASSEMBLY MARCH 18, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1416**

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**Introduced by Assembly Member Santiago** *Members Santiago, Chiu, and Lorena Gonzalez*

(Principal coauthor: ~~Senator Stern~~) *coauthors: Senators Allen, Stern, and Umberg*)

*(Coauthors: Assembly Members Friedman, Kalra, Lee, and Muratsuchi)*

*(Coauthors: Senators Becker and Cortese)*

February 19, 2021

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An act to amend Sections 303, 9050, 9051, 9053, and 13282 ~~of of,~~ and to add Section 9170 to, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1416, as amended, Santiago. Elections: ballot label.

Existing law defines the ballot label as the portion of the ballot containing the names of the candidates or a statement of a measure. For statewide measures, existing law requires the Attorney General to prepare a condensed version of the ballot title and summary, including the fiscal impact summary prepared by the Legislative Analyst that is printed in the state voter information guide.

This bill would additionally require the ballot label for statewide ~~measures~~ *measures, and, at the option of a county, the ballot label or similar description on the ballot of county, city, district, and school district measures,* to include a listing of *nonprofit organizations, businesses, or individuals taken from the signers of ballot arguments*



printed in the ~~state~~ voter information guide that support and oppose the measure or *from the signers of the rebuttal arguments to the arguments that support and oppose the measure, as specified. The bill would require a nonprofit organization, business, or individual to meet certain criteria before being listed on the ballot label or similar description of the measure on the ballot.* The bill would require the signers of the ballot arguments to submit the lists of supporters and opponents to the Secretary of State *or the respective elections official* and would require the Secretary of State *or respective elections official* to provide those lists to county elections officials as part of the ballot label. The bill would make conforming changes and related findings and declarations.

*The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.*

*Because the bill would impose additional duties on local elections officials, and because it would expend the crime of perjury, it would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.*

*With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. This act shall be known, and may be cited as, the
- 2 Ballot DISCLOSE Act.
- 3 SEC. 2. The Legislature finds and declares all of the following:
- 4 (a) In addition to a ballot measure’s title, summary, and fiscal
- 5 analysis, the identity of those who support and oppose a ballot
- 6 measure provides voters with extremely important information
- 7 that helps voters better evaluate and understand the value of the
- 8 measure and to make more informed decisions on how to vote.

1 (b) Including the names of the signers of arguments for and  
2 against a measure on the measure’s ballot label serves as a useful  
3 condensed summary of those arguments in the state voter  
4 information guide in the same way that including the condensed  
5 title, summary, and fiscal analysis of the ballot measure serves as  
6 a useful condensed summary of the Legislative Analyst’s full  
7 analysis in the state voter information guide.

8 SEC. 3. Section 303 of the Elections Code is amended to read:

9 303. “Ballot label” means that portion of the ballot containing  
10 the names of the candidates or a statement of a measure. For  
11 statewide measures, the ballot label shall contain a condensed  
12 version of the ballot title and summary, including the fiscal impact  
13 summary prepared pursuant to Section 9087 of this code and  
14 Section 88003 of the Government Code, that is no more than 75  
15 words, followed by a listing of the names of the signers of the  
16 ballot arguments printed in the state voter information guide in  
17 support of and opposed to the ~~measure~~; *measure as described in*  
18 *Section 9051.*

19 SEC. 4. Section 9050 of the Elections Code is amended to read:

20 9050. (a) After the Secretary of State determines that a measure  
21 will appear on the ballot at the next statewide election, the  
22 Secretary of State shall promptly transmit a copy of the measure  
23 to the Attorney General. The Attorney General shall provide and  
24 return to the Secretary of State a ballot title and summary and a  
25 condensed ballot title and summary for each measure submitted  
26 to the voters of the whole state by a date sufficient to meet the  
27 state voter information guide public display deadlines.

28 (b) Within one week after receiving the lists of supporters and  
29 opponents of a measure, the Secretary of State shall provide to  
30 county elections officials the ballot label, consisting of the  
31 condensed ballot title and summary followed by the list of  
32 supporters and opponents for each state ballot measure as described  
33 in Section 9051.

34 SEC. 5. Section 9051 of the Elections Code is amended to read:

35 9051. (a) (1) The ballot title and summary may differ from  
36 the legislative, circulating, or other title and summary of the  
37 measure and shall not exceed 100 words, not including the fiscal  
38 impact statement.

39 (2) The ballot title and summary shall include a summary of the  
40 Legislative Analyst’s estimate of the net state and local government

1 fiscal impact prepared pursuant to Section 9087 of this code and  
 2 Section 88003 of the Government Code.

3 (b) The condensed ballot title and summary shall not contain  
 4 more than 75 words and shall be a condensed version of the ballot  
 5 title and summary including the financial impact summary prepared  
 6 pursuant to Section 9087 of this code and Section 88003 of the  
 7 Government Code.

8 (c) (1) The ballot label shall include the condensed ballot title  
 9 and summary described in subdivision (b), followed by the  
 10 following:

11 (A) ~~Under the heading "After the text "Supporters:"~~, a listing of  
 12 ~~the names of nonprofit organizations, businesses, or individuals~~  
 13 ~~taken from the signers of the ballot argument in favor of the ballot~~  
 14 ~~measure or from the signers of the rebuttal to the argument against~~  
 15 ~~the ballot measure printed in the state voter information guide~~  
 16 ~~supporting the measure.~~ *guide.* The list of supporters shall include  
 17 only the names, titles, or the organizations of the signers of the  
 18 ballot argument supporting the measure or the rebuttal arguments  
 19 to the argument opposing the measure and shall not exceed 15  
 20 words. *125 characters in length. Each supporter shall be separated*  
 21 *by a semicolon. A nonprofit organization or business shall not be*  
 22 *listed unless it supports the ballot measure.*

23 (B) ~~Under the heading "After the text "Opponents:"~~, a listing of  
 24 ~~the names of nonprofit organizations, businesses, or individuals~~  
 25 ~~take from the signers of the ballot argument against the ballot~~  
 26 ~~measure or from the signers of the rebuttal to the argument in~~  
 27 ~~favor of the ballot measure printed in the state voter information~~  
 28 ~~guide opposing the measure.~~ *guide.* The list of opponents shall  
 29 include only the names, titles, or the organizations of the signers  
 30 of the ballot argument opposing the measure or the rebuttal  
 31 arguments to the argument supporting the measure and shall not  
 32 exceed 15 words. *125 characters in length. Each opponent shall*  
 33 *be separated by a semicolon. A nonprofit organization or business*  
 34 *shall not be listed unless it opposes the ballot measure.*

35 (C) A signer shall not be listed pursuant to subparagraph (A)  
 36 or (B) unless it is one of the following:

37 (i) A nonprofit organization that was not originally created as  
 38 a committee described in Section 82013 of the Government Code,  
 39 that has been in existence for at least two years, and that, during  
 40 the two-year period prior to the time that the organization is listed

1 pursuant to subparagraph (A) or (B), either has received  
2 contributions from more than 500 donors or has had at least one  
3 full-time employee.

4 (ii) A business that has been in existence for at least two years  
5 and that has had at least one full-time employee during the  
6 two-year period prior to the time that the organization is listed  
7 pursuant to subparagraph (A) or (B).

8 (iii) A current or former elected official, who may be listed with  
9 the official's title (e.g., "State Senator Mary Smith", "Assembly  
10 Member Carlos Garcia," or "former Eureka City Council Member  
11 Amy Lee"). These titles may be shortened (e.g. "Senator" or  
12 "Sen." for "State Senator" or "Asm." for "Assembly Member").

13 (iv) An individual who is not a current or former elected official  
14 may be listed only with the individual's first and last name and an  
15 honorific (e.g., "Dr.", "Md", "PhD", or "Esquire"), with no  
16 other title or designation, unless it is a title representing a nonprofit  
17 organization or business that meets the requirements of paragraphs  
18 (i) or (ii) and that is eligible to be listed under subparagraph (A)  
19 if the individual supports the ballot measure or under  
20 subparagraph (B) if the individual opposes the ballot measure.

21 (D) Spaces, commas, semicolons and any other characters count  
22 towards the 125-character limit in subparagraphs (A) and (B).

23 (E) A signer shall not be listed pursuant to subparagraph (A)  
24 or (B) if the signer is a political party or is representing a political  
25 party.

26 (F) The name of a nonprofit organization or business included  
27 in the list of supporters and opponents as required by this  
28 subdivision may be shortened using acronyms, abbreviations, or  
29 by leaving out words in their name, as long as doing so would not  
30 confuse voters with another well-known organization or business  
31 that did not take the same position on the ballot measure (e.g.,  
32 "Hot Air Balloon Flyers of Montana Education Fund" may be  
33 shortened to "Hot Air Balloons Montana").

34 (G) Supporters and opponents listed on the ballot label pursuant  
35 to subparagraph (A) or (B) shall be added as text after the  
36 condensed ballot title and summary and shall be separated by  
37 semicolons. Supporters and opponents need not be displayed on  
38 separate horizontal lines on the ballot. If no list of supporters is  
39 provided by the proponents or there are none that meet the  
40 requirements of this section, then "Supporters" shall be followed

1 by “None submitted”. If no list of opponents is provided by the  
2 opponents or there are none that meet the requirements of this  
3 section, then “Opponents” shall be followed by “None submitted.”  
4 (H) Notwithstanding subparagraph (G), if a ballot lists ballot  
5 labels for state ballot measures in more than one language on the  
6 same page, the ballot may separate the lists of supporters and  
7 opponents described by this section and list them each once in a  
8 separate paragraph below the rest of the ballot labels that are  
9 printed in the different languages. In that case, the word  
10 “Supporters:” shall be listed once using the translation provided  
11 by the Secretary of State as required by Section 9054 for each  
12 language that appears on the ballot ahead of the list of supporters  
13 required in subparagraph (A), and the word “Opponents:” shall  
14 be listed once using the translation provided by the Secretary of  
15 State as required by Section 9054 for each language that appears  
16 on the ballot ahead of the list of opponents required in  
17 subparagraph (B). Each supporter or opponent listed shall be  
18 listed once if the translation provided by the Secretary of State as  
19 required by Section 9054 for that supporter or opponent is the  
20 same, or separated by a “/” if the translation for the supporter or  
21 opponent is different. If some words in the translation of a  
22 supporter or opponent name are different and some are the same,  
23 the translation may list the translation for only the words that are  
24 different. (E.g. for a dual English / Spanish ballot, “Assembly  
25 Member Jane Smith” may be listed as “Assembly Member Jane  
26 Smith / Miembro de la Asamblea Jane Smith” or as “Assembly  
27 Member / Miembro de la Asamblea Jane Smith”.)  
28 (I) If the ballot emphasizes the text “Supporters:” or  
29 “Opponents:” by use of boldface font, underlining, or any other  
30 method that differentiates that text from the list of supporters or  
31 opponents that follow, the text “Supporters:” or “Opponents:”  
32 may be displayed with only the initial letter capitalized. If that text  
33 is not emphasized, then each letter of that text shall be capitalized.  
34 (J) If including the list of Supporters and Opponents in the ballot  
35 labels as required by this section would necessitate the printing  
36 of an extra ballot card compared to the ballot labels not including  
37 them, the type size of the part of all of the ballot labels starting  
38 with “Supporters” may be reduced by the minimal amount needed  
39 to stop them from necessitating an extra ballot card, as long as

1 *the type size is no smaller than 8-point and as long as the type size*  
2 *is reduced by the same amount for all ballot measures.*

3 (2) ~~The supporters~~(A) *The proponents of the measure shall*  
4 *provide the list of supporters described in subparagraph (A) of*  
5 *paragraph (1) to the Secretary of State when submitting the*  
6 *arguments supporting the ballot measure or the rebuttal arguments*  
7 *to the argument opposing the measure. For every supporter listed*  
8 *that is a nonprofit organization, a business, or an individual whose*  
9 *title includes a nonprofit organization or business, the supporters*  
10 *shall include a signed statement by a representative of the nonprofit*  
11 *organization or business, under penalty of perjury, that includes*  
12 *its name and business address and that attests (1) that the nonprofit*  
13 *organization or business supports the measure, (2) that the*  
14 *nonprofit organization or business has been in existence for at*  
15 *least two years, (3) that the nonprofit organization or business*  
16 *has had at least one full-time employee for the last two years, or,*  
17 *if it is a nonprofit organization, that it has had at least 500 donors*  
18 *in the last two years, and (4) that it was not originally created as*  
19 *a committee described in Section 82013 of the Government Code.*

20 ~~The~~

21 (B) *The opponents of the measure shall provide the list of*  
22 *opponents described in subparagraph (B) of paragraph (1) to the*  
23 *Secretary of State when submitting the arguments opposing the*  
24 *ballot measure or the rebuttal arguments to the argument*  
25 *supporting the measure. For every opponent listed that is a*  
26 *nonprofit organization, a business, or an individual whose title*  
27 *includes a nonprofit organization or business, the supporters shall*  
28 *include a signed statement by a representative of the nonprofit*  
29 *organization or business, under penalty of perjury, that includes*  
30 *its name and business address and that attests (1) that the nonprofit*  
31 *organization or business opposes the measure, (2) that the*  
32 *nonprofit organization or business has been in existence for at*  
33 *least two years, (3) that the nonprofit organization or business*  
34 *has had at least one full-time employee for the last two years, or,*  
35 *if it is a nonprofit organization, that it has had at least 500 donors*  
36 *in the last two years, and (4) that it was not originally created as*  
37 *a committee described in Section 82013 of the Government Code.*

38 (C) *In order to enable the Secretary of State to determine*  
39 *whether the nonprofit organizations and businesses listed in the*  
40 *supporters or opponents have been in existence for at least two*

1 years, the proponents and opponents shall submit with the list of  
2 supporters and opponents described in subparagraphs (A) and  
3 (B) a certified copy of the articles of incorporation, articles of  
4 organization, or similar document for each nonprofit organization  
5 or business on the list that verifies that the nonprofit organization  
6 or business has been in existence for at least two years.

7 (D) The Secretary of State shall confirm that a submission listing  
8 supporters or opponents includes the documentation required by  
9 subparagraphs (A) through (C) and otherwise meets the  
10 requirements of this section. The Secretary of State shall ask the  
11 proponents or opponents to resubmit a list if the requirements are  
12 not met. The Secretary of State may establish deadlines by when  
13 proponents or opponents must resubmit a list.

14 (d) In providing the ballot title and summary, the Attorney  
15 General shall give a true and impartial statement of the purpose  
16 of the measure in such language that the ballot title and summary  
17 shall neither be an argument, nor be likely to create prejudice, for  
18 or against the proposed measure.

19 (e) The Attorney General shall invite and consider public  
20 comment in preparing each ballot title and summary.

21 SEC. 6. Section 9053 of the Elections Code is amended to read:  
22 9053. Each measure shall be designated on the ballot by the  
23 ballot label certified by the Secretary of State.

24 SEC. 7. Section 9170 is added to the Elections Code, to read:  
25 9170. (a) Subject to subdivision (d), the ballot label or similar  
26 description of a county, city, district, or school measure on a county  
27 ballot shall end with all of the following:

28 (1) After the text "Supporters:", a listing of associations,  
29 nonprofit organizations, businesses, or individuals taken from the  
30 signers of the argument in favor of the measure or from the signers  
31 of the rebuttal to the argument against the measure printed in the  
32 voter information guide. The list of supporters shall not exceed  
33 125 characters in length. Each supporter shall be separated by a  
34 semicolon. An association, nonprofit organization, or business  
35 shall not be listed unless it supports the county measure.

36 (2) After the text "Opponents:", a listing of associations,  
37 nonprofit organizations, businesses, or individuals taken from the  
38 signers of the argument against the measure or from the signers  
39 of the rebuttal to the argument in favor of the measure printed in  
40 the voter information guide. The list of opponents shall not exceed

1 125 characters in length. Each opponent shall be separated by a  
2 semicolon. An association, nonprofit organization, or business  
3 shall not be listed unless it opposes the county measure.

4 (3) A signer shall not be listed pursuant to paragraph (1) or (2)  
5 unless it is one of the following:

6 (A) An association, nonprofit organization, or business that was  
7 not originally created as a committee described in Section 82013  
8 of the Government Code and that has been in existence for at least  
9 two years.

10 (B) A current or former elected official, who may be listed with  
11 the official's title (e.g., "State Senator Mary Smith", "Assembly  
12 Member Carlos Garcia," or "former Eureka City Council Member  
13 Amy Lee"). These titles may be shortened (e.g. "Senator" or  
14 "Sen." for "State Senator" or "Asm." for "Assembly Member").

15 (C) An individual who is not a current or former elected official  
16 may be listed only with the individual's first and last name and an  
17 honorific (e.g., "Dr.", "Md", "PhD", or "Esquire"), with no  
18 other title or designation, unless it is a title representing an  
19 association, nonprofit organization, or business that meets the  
20 requirements of subparagraphs (A) or (B) and that is eligible to  
21 be listed under paragraph (1) if the individual supports the county  
22 measure or under paragraph (2) if the individual opposes the  
23 county measure.

24 (4) Spaces, commas, semicolons, and other characters count  
25 towards the 125-character limit in paragraphs (1) and (2).

26 (5) A signer shall not be listed pursuant to paragraph (1) or (2)  
27 if the signer is a political party or is representing a political party.

28 (6) The name of an association, nonprofit organization, or  
29 business included in the list of supporters and opponents as  
30 required by this section may be shortened using acronyms,  
31 abbreviations, or by leaving out words in their name, as long as  
32 doing so would not confuse voters with another well-known  
33 organization or business that did not take the same position on  
34 the ballot measure (e.g., "Hot Air Balloon Flyers of Montana  
35 Education Fund" may be shortened to "Hot Air Balloons  
36 Montana").

37 (7) Supporters and opponents listed pursuant to paragraph (1)  
38 or (2) shall be added as text after the condensed ballot title and  
39 summary, if any, and may be separated by semicolons. Supporters  
40 and opponents need not be displayed on separate horizontal lines



1 on the ballot. If no list of supporters is provided by the proponents  
2 or there are none that meet the requirements of this section, then  
3 “Supporters” shall be followed by “None submitted”. If no list of  
4 opponents is provided by the opponents or there are none that  
5 meet the requirements of this section, then “Opponents” shall be  
6 followed by “None submitted.”

7 (8) Notwithstanding paragraph (7), if a ballot lists ballot labels  
8 for measures in more than one language on the same page, the  
9 ballot may separate the lists of supporters and opponents described  
10 by this section and list them each once in a separate paragraph  
11 below the rest of the ballot labels that are printed in the different  
12 languages. In that case, the word “Supporters:” shall be listed  
13 once using the translation for each language that appears on the  
14 ballot ahead of the list of supporters required in paragraph (1),  
15 and the word “Opponents:” shall be listed once using the  
16 translation for each language that appears on the ballot ahead of  
17 the list of opponents required in paragraph (2). Each supporter  
18 or opponent listed shall be listed once if the translation for that  
19 supporter or opponent is the same, or separated by a “/” if the  
20 translation for the supporter or opponent is different. If some words  
21 in the translation of a supporter or opponent name are different  
22 and some are the same, the translation may list the translation for  
23 only the words that are different. (E.g. For a dual English / Spanish  
24 ballot, “Assembly Member Jane Smith” may be listed as “Assembly  
25 Member Jane Smith / Miembro de la Asamblea Jane Smith” or as  
26 “Assembly Member / Miembro de la Asamblea Jane Smith”.)

27 (9) If the ballot emphasizes the text “Supporters:” or  
28 “Opponents:” by use of boldface font, underlining, or any other  
29 method that differentiates that text from the list of supporters or  
30 opponents that follow, the text “Supporters:” or “Opponents:”  
31 may be displayed with only the initial letter capitalized. If that text  
32 is not emphasized, then each letter of that text shall be capitalized.

33 (10) If including the list of Supporters and Opponents in the  
34 ballot labels as required by this section would necessitate the  
35 printing of an extra ballot card compared to the ballot labels not  
36 including them, the type size of the part of all of the ballot labels  
37 starting with “Supporters” may be reduced by the minimal amount  
38 needed to stop them from necessitating an extra ballot card, as  
39 long as the type size is no smaller than 8-point and as long as the  
40 type size is reduced by the same amount for all ballot measures.

1     **(b) (1)** *The proponents of the measure shall provide the list of*  
2 *supporters described in paragraph (1) of subdivision (a) to the*  
3 *elections official when submitting arguments supporting the*  
4 *measure or the rebuttal arguments to the argument opposing the*  
5 *measure. For every supporter listed that is an association, a*  
6 *nonprofit organization, a business, or an individual whose title*  
7 *includes an association, nonprofit organization or business, the*  
8 *supporters shall include a signed statement by a representative of*  
9 *the association, nonprofit organization, or business, under penalty*  
10 *of perjury, that includes its name and an address and that attests*  
11 *(1) that the association, nonprofit organization, or business*  
12 *supports the measure, (2) that the association, nonprofit*  
13 *organization, or business has been in existence for at least two*  
14 *years, and (3) that it was not originally created as a committee*  
15 *described in Section 82013 of the Government Code.*

16     **(2)** *The opponents of the measure shall provide the list of*  
17 *opponents described in paragraph (1) of subdivision (b) to the*  
18 *elections official when submitting the arguments opposing the*  
19 *measure or the rebuttal arguments to the argument supporting the*  
20 *measure. For every opponent listed that is an association, a*  
21 *nonprofit organization, a business, or an individual whose title*  
22 *includes an association, nonprofit organization or business, the*  
23 *opponents shall include a signed statement by a representative of*  
24 *the association, nonprofit organization or business, under penalty*  
25 *of perjury, that includes its name and an address and that attests*  
26 *(1) that the association, nonprofit organization, or business*  
27 *opposes the measure, (2) that the association, nonprofit*  
28 *organization or business has been in existence for at least two*  
29 *years, and (3) that it was not originally created as a committee*  
30 *described in Section 82013 of the Government Code.*

31     **(3)** *The elections official that receives the ballot arguments and*  
32 *list of supporters or opponents shall confirm that a submission*  
33 *listing supporters or opponents includes the documentation*  
34 *required by paragraphs (1) and (2) and otherwise meets the*  
35 *requirements of this section. The elections official shall ask the*  
36 *proponents or opponents to resubmit a list if the requirements are*  
37 *not met. The elections official may establish deadlines by when*  
38 *proponents or opponents must resubmit a list.*

39     **(c)** *An elections official that is not a county elections official*  
40 *that administers a city, district, or school election and that receives*

1 *a list of supporters or opponents for inclusion on the ballot label*  
2 *or similar description shall, after confirming compliance with this*  
3 *section as provided in paragraph (3) of subdivision (b), forward*  
4 *that list to the county elections official.*

5 *(d) At least 30 days before the deadline for submitting arguments*  
6 *for or against county measures, a county may elect not to list*  
7 *supporters and opponents for county, city, district and school*  
8 *measures on the county ballot. A county shall not include a list of*  
9 *supporters or opponents for any county, city, district, or school*  
10 *measure if the county does not include a list of supporters or*  
11 *opponents for all measures for which the county receives a list*  
12 *that meets the requirements of this section. If the county elects not*  
13 *to list supporters and opponents for county, city, district, or school*  
14 *measures on the county ballot, the requirements of subdivisions*  
15 *(a) through (c) do not apply.*

16 ~~SEC. 7.~~

17 SEC. 8. Section 13282 of the Elections Code is amended to  
18 read:

19 13282. Whenever the Attorney General prepares a condensed  
20 ballot title and summary, the Attorney General shall file a copy of  
21 the condensed ballot title and summary with the Secretary of State.  
22 The Secretary of State shall make a copy of the ballot label that  
23 includes the condensed ballot title and summary *and the supporters*  
24 *and opponents as required by subdivision (c) of Section 9051*  
25 *available for public examination prior to the printing of the ballot*  
26 *label on any ballot. The public shall be permitted to examine the*  
27 *ballot label for at least 20 days, and the Secretary of State may*  
28 *consolidate the examination requirement under this section with*  
29 *the public examination requirements set forth in Section 9092. A*  
30 *voter may seek a writ of mandate requiring a ballot label, or portion*  
31 *thereof, to be amended or deleted. The provisions set forth in*  
32 *Section 9092 concerning the issuance of the writ and the nature*  
33 *of the proceedings shall be applicable to this section.*

34 SEC. 9. *The Legislature finds and declares that providing*  
35 *voters with information to better understand ballot measures is a*  
36 *matter of statewide concern and is not a municipal affair as that*  
37 *term is used in Section 5 of Article XI of the California*  
38 *Constitution. Therefore, Section 7 of this act adding Section 9170*  
39 *of the Elections Code applies to all cities, including charter cities.*

1     *SEC. 10. No reimbursement is required by this act pursuant*  
2 *to Section 6 of Article XIII B of the California Constitution for*  
3 *certain costs that may be incurred by a local agency or school*  
4 *district because, in that regard, this act creates a new crime or*  
5 *infraction, eliminates a crime or infraction, or changes the penalty*  
6 *for a crime or infraction, within the meaning of Section 17556 of*  
7 *the Government Code, or changes the definition of a crime within*  
8 *the meaning of Section 6 of Article XIII B of the California*  
9 *Constitution.*

10     *However, if the Commission on State Mandates determines that*  
11 *this act contains other costs mandated by the state, reimbursement*  
12 *to local agencies and school districts for those costs shall be made*  
13 *pursuant to Part 7 (commencing with Section 17500) of Division*  
14 *4 of Title 2 of the Government Code.*

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AMENDED IN SENATE APRIL 19, 2021

AMENDED IN SENATE APRIL 12, 2021

**SENATE BILL**

**No. 90**

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**Introduced by Senator Stern**

*(Principal coauthor: Assembly Member Santiago)*

*(Coauthors: Senators Dodd and Umberg)*

December 16, 2020

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An act to amend Sections 303, 9050, 9051, 9053, and 13282 of, and to add Section 9170 to, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 90, as amended, Stern. Elections: ballot label.

Existing law defines the ballot label as the portion of the ballot containing the names of the candidates or a statement of a measure. For statewide measures, existing law requires the Attorney General to prepare a condensed version of the ballot title and summary, including the fiscal impact summary prepared by the Legislative Analyst that is printed in the state voter information guide.

This bill would additionally require the ballot label for statewide measures, and, at the option of a county, the ballot label or similar description on the ballot of county, city, district, and school district measures, to include a listing of nonprofit organizations, businesses, or individuals taken from the signers of ballot arguments printed in the voter information guide that support and oppose the measure or from the signers of the rebuttal arguments to the arguments that support and oppose the measure, as specified. The bill would require a nonprofit organization, business, or individual to meet certain criteria before being listed on the ballot label or similar description of the measure on the ballot. The bill would require the signers of the ballot arguments to

submit the lists of supporters and opponents to the Secretary of State or the respective elections official and would require the Secretary of State or respective elections official to provide those lists to county elections officials as part of the ballot label. The bill would make conforming changes and related findings and declarations.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

Because the bill would impose additional duties on local elections officials, and because it would expand the crime of perjury, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. This act shall be known, and may be cited as, the  
2 Ballot DISCLOSE Act.

3 SEC. 2. The Legislature finds and declares all of the following:

4 (a) In addition to a ballot measure's title, summary, and fiscal  
5 analysis, the identity of those who support and oppose a ballot  
6 measure provides voters with extremely important information  
7 that helps voters better evaluate and understand the value of the  
8 measure and to make more informed decisions on how to vote.

9 (b) Including the names of the signers of arguments for and  
10 against a measure on the measure's ballot label serves as a useful  
11 condensed summary of those arguments in the state voter  
12 information guide in the same way that including the condensed  
13 title, summary, and fiscal analysis of the ballot measure serves as  
14 a useful condensed summary of the Legislative Analyst's full  
15 analysis in the state voter information guide.

1 SEC. 3. Section 303 of the Elections Code is amended to read:  
2 303. “Ballot label” means that portion of the ballot containing  
3 the names of the candidates or a statement of a measure. For  
4 statewide measures, the ballot label shall contain a condensed  
5 version of the ballot title and summary, including the fiscal impact  
6 summary prepared pursuant to Section 9087 of this code and  
7 Section 88003 of the Government Code, that is no more than 75  
8 words, followed by a listing of the names of the signers of the  
9 ballot arguments printed in the state voter information guide in  
10 support of and opposed to the measure as described in Section  
11 9051.

12 SEC. 4. Section 9050 of the Elections Code is amended to read:  
13 9050. (a) After the Secretary of State determines that a  
14 measure will appear on the ballot at the next statewide election,  
15 the Secretary of State shall promptly transmit a copy of the measure  
16 to the Attorney General. The Attorney General shall provide and  
17 return to the Secretary of State a ballot title and summary and a  
18 condensed ballot title and summary for each measure submitted  
19 to the voters of the whole state by a date sufficient to meet the  
20 state voter information guide public display deadlines.

21 (b) Within one week after receiving the lists of supporters and  
22 opponents of a measure, the Secretary of State shall provide to  
23 county elections officials the ballot label, consisting of the  
24 condensed ballot title and summary followed by the list of  
25 supporters and opponents for each state ballot measure as described  
26 in Section 9051.

27 SEC. 5. Section 9051 of the Elections Code is amended to read:  
28 9051. (a) (1) The ballot title and summary may differ from  
29 the legislative, circulating, or other title and summary of the  
30 measure and shall not exceed 100 words, not including the fiscal  
31 impact statement.

32 (2) The ballot title and summary shall include a summary of the  
33 Legislative Analyst’s estimate of the net state and local government  
34 fiscal impact prepared pursuant to Section 9087 of this code and  
35 Section 88003 of the Government Code.

36 (b) The condensed ballot title and summary shall not contain  
37 more than 75 words and shall be a condensed version of the ballot  
38 title and summary including the financial impact summary prepared  
39 pursuant to Section 9087 of this code and Section 88003 of the  
40 Government Code.

1 (c) (1) The ballot label shall include the condensed ballot title  
2 and summary described in subdivision (b), followed by the  
3 following:

4 (A) After the text “Supporters:”, a listing of nonprofit  
5 organizations, businesses, or individuals taken from the signers of  
6 the argument in favor of the ballot measure or from the signers of  
7 the rebuttal to the argument against the ballot measure printed in  
8 the state voter information guide. The list of supporters shall not  
9 exceed 125 characters in length. Each supporter shall be separated  
10 by a semicolon. A nonprofit organization or business shall not be  
11 listed unless it supports the ballot measure.

12 (B) After the text “Opponents:”, a listing of nonprofit  
13 organizations, businesses, or individuals taken from the signers of  
14 the argument against the ballot measure or from the signers of the  
15 rebuttal to the argument in favor of the ballot measure printed in  
16 the state voter information guide. The list of opponents shall not  
17 exceed 125 characters in length. Each opponent shall be separated  
18 by a semicolon. A nonprofit organization or business shall not be  
19 listed unless it opposes the ballot measure.

20 (C) A signer shall not be listed pursuant to subparagraph (A)  
21 or (B) unless it is one of the following:

22 (i) A nonprofit organization that was not originally created as  
23 a committee described in Section 82013 of the Government Code,  
24 that has been in existence for at least two years, and that, during  
25 the two-year period prior to the time that the organization is listed  
26 pursuant to subparagraph (A) or (B), either has received  
27 contributions from more than 500 donors or has had at least one  
28 full-time employee.

29 (ii) A business that has been in existence for at least two years  
30 and that has had at least one full-time employee during the two-year  
31 period prior to the time that the organization is listed pursuant to  
32 subparagraph (A) or (B).

33 (iii) A current or former elected official, who may be listed with  
34 the official’s title (e.g., “State Senator Mary Smith”, “Assembly  
35 Member Carlos Garcia,” or “former Eureka City Council Member  
36 Amy Lee”). These titles may be shortened (e.g. “Senator” or “Sen.”  
37 for “State Senator” or “Asm.” for “Assembly Member”).

38 (iv) An individual who is not a current or former elected official  
39 may be listed only with the individual’s first and last name and an  
40 honorific (e.g., “Dr.”, “Md”, “PhD”, or “Esquire”), with no other



1 title or designation, unless it is a title representing a nonprofit  
2 organization or business that meets the requirements of paragraphs  
3 (i) or (ii) and that is eligible to be listed under subparagraph (A)  
4 if the individual supports the ballot measure or under subparagraph  
5 (B) if the individual opposes the ballot measure.

6 (D) Spaces, commas, semicolons and any other characters count  
7 towards the 125-character limit in subparagraphs (A) and (B).

8 (E) A signer shall not be listed pursuant to subparagraph (A) or  
9 (B) if the signer is a political party or is representing a political  
10 party.

11 (F) The name of a nonprofit organization or business included  
12 in the list of supporters and opponents as required by this  
13 subdivision may be shortened using acronyms, abbreviations, or  
14 by leaving out words in their name, as long as doing so would not  
15 confuse voters with another well-known organization or business  
16 that did not take the same position on the ballot measure (e.g.,  
17 “Hot Air Balloon Flyers of Montana Education Fund” may be  
18 shortened to “Hot Air Balloons Montana”).

19 (G) Supporters and opponents listed on the ballot label pursuant  
20 to subparagraph (A) or (B) shall be added as text after the  
21 condensed ballot title and summary and shall be separated by  
22 semicolons. Supporters and opponents need not be displayed on  
23 separate horizontal lines on the ballot. If no list of supporters is  
24 provided by the proponents or there are none that meet the  
25 requirements of this section, then “Supporters” shall be followed  
26 by “None submitted”. If no list of opponents is provided by the  
27 opponents or there are none that meet the requirements of this  
28 section, then “Opponents” shall be followed by “None submitted.”

29 (H) Notwithstanding subparagraph (G), if a ballot lists ballot  
30 labels for state ballot measures in more than one language on the  
31 same page, the ballot may separate the lists of supporters and  
32 opponents described by this section and list them each once in a  
33 separate paragraph below the rest of the ballot labels that are  
34 printed in the different languages. In that case, the word  
35 “Supporters:” shall be listed once using the translation provided  
36 by the Secretary of State as required by Section 9054 for each  
37 language that appears on the ballot ahead of the list of supporters  
38 required in subparagraph (A), and the word “Opponents:” shall be  
39 listed once using the translation provided by the Secretary of State  
40 as required by Section 9054 for each language that appears on the

1 ballot ahead of the list of opponents required in subparagraph (B).  
2 Each supporter or opponent listed shall be listed once if the  
3 translation provided by the Secretary of State as required by Section  
4 9054 for that supporter or opponent is the same, or separated by  
5 a “/” if the translation for the supporter or opponent is different.  
6 If some words in the translation of a supporter or opponent name  
7 are different and some are the same, the translation may list the  
8 translation for only the words that are different. (E.g. for a dual  
9 English / Spanish ballot, “Assembly Member Jane Smith” may be  
10 listed as “Assembly Member Jane Smith / Miembro de la Asamblea  
11 Jane Smith” or as “Assembly Member / Miembro de la Asamblea  
12 Jane Smith”.)

13 (I) If the ballot emphasizes the text “Supporters:” or  
14 “Opponents:” by use of boldface font, underlining, or any other  
15 method that differentiates that text from the list of supporters or  
16 opponents that follow, the text “Supporters:” or “Opponents:” may  
17 be displayed with only the initial letter capitalized. If that text is  
18 not emphasized, then each letter of that text shall be capitalized.

19 (J) If including the list of Supporters and Opponents in the ballot  
20 labels as required by this section would necessitate the printing of  
21 an extra ballot card compared to the ballot labels not including  
22 them, the type size of the part of all of the ballot labels starting  
23 with “Supporters” may be reduced by the minimal amount needed  
24 to stop them from necessitating an extra ballot card, as long as the  
25 type size is no smaller than 8-point and as long as the type size is  
26 reduced by the same amount for all ballot measures.

27 (2) (A) The proponents of the measure shall provide the list of  
28 supporters described in subparagraph (A) of paragraph (1) to the  
29 Secretary of State when submitting the arguments supporting the  
30 ballot measure or the rebuttal arguments to the argument opposing  
31 the measure. For every supporter listed that is a nonprofit  
32 organization, a business, or an individual whose title includes a  
33 nonprofit organization or business, the supporters shall include a  
34 signed statement by a representative of the nonprofit organization  
35 or business, under penalty of perjury, that includes its name and  
36 business address and that attests (1) that the nonprofit organization  
37 or business supports the measure, (2) that the nonprofit organization  
38 or business has been in existence for at least two years, (3) that  
39 the nonprofit organization or business has had at least one full-time  
40 employee for the last two years, or, if it is a nonprofit organization,

1 that it has had at least 500 donors in the last two years, and (4) that  
2 it was not originally created as a committee described in Section  
3 82013 of the Government Code.

4 (B) The opponents of the measure shall provide the list of  
5 opponents described in subparagraph (B) of paragraph (1) to the  
6 Secretary of State when submitting the arguments opposing the  
7 ballot measure or the rebuttal arguments to the argument supporting  
8 the measure. For every opponent listed that is a nonprofit  
9 organization, a business, or an individual whose title includes a  
10 nonprofit organization or business, the supporters shall include a  
11 signed statement by a representative of the nonprofit organization  
12 or business, under penalty of perjury, that includes its name and  
13 business address and that attests (1) that the nonprofit organization  
14 or business opposes the measure, (2) that the nonprofit organization  
15 or business has been in existence for at least two years, (3) that  
16 the nonprofit organization or business has had at least one full-time  
17 employee for the last two years, or, if it is a nonprofit organization,  
18 that it has had at least 500 donors in the last two years, and (4) that  
19 it was not originally created as a committee described in Section  
20 82013 of the Government Code.

21 (C) In order to enable the Secretary of State to determine  
22 whether the nonprofit organizations and businesses listed in the  
23 supporters or opponents have been in existence for at least two  
24 years, the proponents and opponents shall submit with the list of  
25 supporters and opponents described in subparagraphs (A) and (B)  
26 a certified copy of the articles of incorporation, articles of  
27 organization, or similar document for each nonprofit organization  
28 or business on the list that verifies that the nonprofit organization  
29 or business has been in existence for at least two years.

30 (D) The Secretary of State shall confirm that a submission listing  
31 supporters or opponents includes the documentation required by  
32 subparagraphs (A) through (C) and otherwise meets the  
33 requirements of this section. The Secretary of State shall ask the  
34 proponents or opponents to resubmit a list if the requirements are  
35 not met. The Secretary of State may establish deadlines by when  
36 proponents or opponents must resubmit a list.

37 (d) In providing the ballot title and summary, the Attorney  
38 General shall give a true and impartial statement of the purpose  
39 of the measure in such language that the ballot title and summary

1 shall neither be an argument, nor be likely to create prejudice, for  
2 or against the proposed measure.

3 (e) The Attorney General shall invite and consider public  
4 comment in preparing each ballot title and summary.

5 SEC. 6. Section 9053 of the Elections Code is amended to read:

6 9053. Each measure shall be designated on the ballot by the  
7 ballot label certified by the Secretary of State.

8 SEC. 7. Section 9170 is added to the Elections Code, to read:

9 9170. (a) Subject to subdivision (d), the ballot label or similar  
10 description of a county, city, district, or school measure on a county  
11 ballot shall end with all of the following:

12 (1) After the text “Supporters:”, a listing of associations,  
13 nonprofit organizations, businesses, or individuals taken from the  
14 signers of the argument in favor of the measure or from the signers  
15 of the rebuttal to the argument against the measure printed in the  
16 voter information guide. The list of supporters shall not exceed  
17 125 characters in length. Each supporter shall be separated by a  
18 semicolon. An association, nonprofit organization, or business  
19 shall not be listed unless it supports the county measure.

20 (2) After the text “Opponents:”, a listing of associations,  
21 nonprofit organizations, businesses, or individuals taken from the  
22 signers of the argument against the measure or from the signers  
23 of the rebuttal to the argument in favor of the measure printed in  
24 the voter information guide. The list of opponents shall not exceed  
25 125 characters in length. Each opponent shall be separated by a  
26 semicolon. An association, nonprofit organization, or business  
27 shall not be listed unless it opposes the county measure.

28 (3) A signer shall not be listed pursuant to paragraph (1) or (2)  
29 unless it is one of the following:

30 (A) An association, nonprofit organization, or business that was  
31 not originally created as a committee described in Section 82013  
32 of the Government Code and that has been in existence for at least  
33 two years.

34 (B) A current or former elected official, who may be listed with  
35 the official’s title (e.g., “State Senator Mary Smith”, “Assembly  
36 Member Carlos Garcia,” or “former Eureka City Council Member  
37 Amy Lee”). These titles may be shortened (e.g. “Senator” or “Sen.”  
38 for “State Senator” or “Asm.” for “Assembly Member”).

39 (C) An individual who is not a current or former elected official  
40 may be listed only with the individual’s first and last name and an

1 honorific (e.g., “Dr.”, “Md”, “PhD”, or “Esquire”), with no other  
2 title or designation, unless it is a title representing an association,  
3 nonprofit organization, or business that meets the requirements of  
4 subparagraphs (A) or (B) and that is eligible to be listed under  
5 paragraph (1) if the individual supports the county measure or  
6 under paragraph (2) if the individual opposes the county measure.

7 (4) Spaces, commas, semicolons, and other characters count  
8 towards the 125-character limit in paragraphs (1) and (2).

9 (5) A signer shall not be listed pursuant to paragraph (1) or (2)  
10 if the signer is a political party or is representing a political party.

11 (6) The name of an association, nonprofit organization, or  
12 business included in the list of supporters and opponents as required  
13 by this section may be shortened using acronyms, abbreviations,  
14 or by leaving out words in their name, as long as doing so would  
15 not confuse voters with another well-known organization or  
16 business that did not take the same position on the ballot measure  
17 (e.g., “Hot Air Balloon Flyers of Montana Education Fund” may  
18 be shortened to “Hot Air Balloons Montana”).

19 (7) Supporters and opponents listed pursuant to paragraph (1)  
20 or (2) shall be added as text after the condensed ballot title and  
21 summary, if any, and may be separated by semicolons. Supporters  
22 and opponents need not be displayed on separate horizontal lines  
23 on the ballot. If no list of supporters is provided by the proponents  
24 or there are none that meet the requirements of this section, then  
25 “Supporters” shall be followed by “None submitted”. If no list of  
26 opponents is provided by the opponents or there are none that meet  
27 the requirements of this section, then “Opponents” shall be  
28 followed by “None submitted.”

29 (8) Notwithstanding paragraph (7), if a ballot lists ballot labels  
30 for measures in more than one language on the same page, the  
31 ballot may separate the lists of supporters and opponents described  
32 by this section and list them each once in a separate paragraph  
33 below the rest of the ballot labels that are printed in the different  
34 languages. In that case, the word “Supporters:” shall be listed once  
35 using the translation for each language that appears on the ballot  
36 ahead of the list of supporters required in paragraph (1), and the  
37 word “Opponents:” shall be listed once using the translation for  
38 each language that appears on the ballot ahead of the list of  
39 opponents required in paragraph (2). Each supporter or opponent  
40 listed shall be listed once if the translation for that supporter or

1 opponent is the same, or separated by a “/” if the translation for  
2 the supporter or opponent is different. If some words in the  
3 translation of a supporter or opponent name are different and some  
4 are the same, the translation may list the translation for only the  
5 words that are different. (E.g. For a dual English / Spanish ballot,  
6 “Assembly Member Jane Smith” may be listed as “Assembly  
7 Member Jane Smith / Miembro de la Asamblea Jane Smith” or as  
8 “Assembly Member / Miembro de la Asamblea Jane Smith”.)

9 (9) If the ballot emphasizes the text “Supporters:” or  
10 “Opponents:” by use of boldface font, underlining, or any other  
11 method that differentiates that text from the list of supporters or  
12 opponents that follow, the text “Supporters:” or “Opponents:” may  
13 be displayed with only the initial letter capitalized. If that text is  
14 not emphasized, then each letter of that text shall be capitalized.

15 (10) If including the list of Supporters and Opponents in the  
16 ballot labels as required by this section would necessitate the  
17 printing of an extra ballot card compared to the ballot labels not  
18 including them, the type size of the part of all of the ballot labels  
19 starting with “Supporters” may be reduced by the minimal amount  
20 needed to stop them from necessitating an extra ballot card, as  
21 long as the type size is no smaller than 8-point and as long as the  
22 type size is reduced by the same amount for all ballot measures.

23 (b) (1) The proponents of the measure shall provide the list of  
24 supporters described in paragraph (1) of subdivision (a) to the  
25 elections official when submitting arguments supporting the  
26 measure or the rebuttal arguments to the argument opposing the  
27 measure. For every supporter listed that is an association, a  
28 nonprofit organization, a business, or an individual whose title  
29 includes an association, nonprofit ~~organization~~ *organization*, or  
30 business, the supporters shall include a signed statement by a  
31 representative of the association, nonprofit ~~organization~~  
32 *organization*, or business, under penalty of perjury, that includes  
33 its name and an address and that attests (1) that the association,  
34 nonprofit organization, or business supports the measure, (2) that  
35 the association, nonprofit organization or business has been in  
36 existence for at least two years, and (3) that it was not originally  
37 created as a committee described in Section 82013 of the  
38 Government Code.

39 (2) The opponents of the measure shall provide the list of  
40 opponents described in paragraph (1) of subdivision (b) to the

1 elections official when submitting the arguments opposing the  
2 measure or the rebuttal arguments to the argument supporting the  
3 measure. For every opponent listed that is an association, a  
4 nonprofit organization, a business, or an individual whose title  
5 includes an association, nonprofit organization or business, the  
6 opponents shall include a signed statement by a representative of  
7 the association, nonprofit organization or business, under penalty  
8 of perjury, that includes its name and an address and that attests  
9 (1) that the association, nonprofit organization, or business opposes  
10 the measure, (2) that the association, nonprofit organization or  
11 business has been in existence for at least two years, and (3) that  
12 it was not originally created as a committee described in Section  
13 82013 of the Government Code.

14 (3) The elections official that receives the ballot arguments and  
15 list of supporters or opponents shall confirm that a submission  
16 listing supporters or opponents includes the documentation required  
17 by paragraphs (1) and (2) and otherwise meets the requirements  
18 of this section. The elections official shall ask the proponents or  
19 opponents to resubmit a list if the requirements are not met. The  
20 elections official may establish deadlines by when proponents or  
21 opponents must resubmit a list.

22 (c) An elections official that is not a county elections official  
23 that administers a city, district, or school election and that receives  
24 a list of supporters or opponents for inclusion on the ballot label  
25 or similar description shall, after confirming compliance with this  
26 section as provided in paragraph (3) of subdivision (b), forward  
27 that list to the county elections official.

28 (d) At least 30 days before the deadline for submitting arguments  
29 for or against county measures, a county may elect not to list  
30 supporters and opponents for county, city, district and school  
31 measures on the county ballot. A county shall not include a list of  
32 supporters or opponents for any county, city, district, or school  
33 measure if the county does not include a list of supporters or  
34 opponents for all measures for which the county receives a list that  
35 meets the requirements of this section. If the county elects not to  
36 list supporters and opponents for county, city, district, or school  
37 measures on the county ballot, the requirements of subdivisions  
38 (a) through (c) do not apply.

39 SEC. 8. Section 13282 of the Elections Code is amended to  
40 read:

1 13282. Whenever the Attorney General prepares a condensed  
2 ballot title and summary, the Attorney General shall file a copy of  
3 the condensed ballot title and summary with the Secretary of State.  
4 The Secretary of State shall make a copy of the ballot label that  
5 includes the condensed ballot title and summary and the supporters  
6 and opponents as required by subdivision (c) of Section 9051  
7 available for public examination prior to the printing of the ballot  
8 label on any ballot. The public shall be permitted to examine the  
9 ballot label for at least 20 days, and the Secretary of State may  
10 consolidate the examination requirement under this section with  
11 the public examination requirements set forth in Section 9092. A  
12 voter may seek a writ of mandate requiring a ballot label, or portion  
13 thereof, to be amended or deleted. The provisions set forth in  
14 Section 9092 concerning the issuance of the writ and the nature  
15 of the proceedings shall be applicable to this section.

16 SEC. 9. The Legislature finds and declares that providing voters  
17 with information to better understand and evaluate ballot measures  
18 is a matter of statewide concern and is not a municipal affair as  
19 that term is used in Section 5 of Article XI of the California  
20 Constitution. Therefore, Section 7 of this act adding Section 9170  
21 to the Elections Code applies to all cities, including charter cities.

22 SEC. 10. No reimbursement is required by this act pursuant to  
23 Section 6 of Article XIII B of the California Constitution for certain  
24 costs that may be incurred by a local agency or school district  
25 because, in that regard, this act creates a new crime or infraction,  
26 eliminates a crime or infraction, or changes the penalty for a crime  
27 or infraction, within the meaning of Section 17556 of the  
28 Government Code, or changes the definition of a crime within the  
29 meaning of Section 6 of Article XIII B of the California  
30 Constitution.

31 However, if the Commission on State Mandates determines that  
32 this act contains other costs mandated by the state, reimbursement  
33 to local agencies and school districts for those costs shall be made  
34 pursuant to Part 7 (commencing with Section 17500) of Division  
35 4 of Title 2 of the Government Code.

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