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 rmill@sos.ca.gov.

Thank you.
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 or 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).)
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.)
(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.
(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.

(Added 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.

(Added 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.

(Added 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.

(Added 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.)
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.)
ARTICLE 3. Vote Tabulating Devices [13240 - 13247]  

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.)
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.)
(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.)
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


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 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.

State-mandated local program: no yes.

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

SECTION 1. This act shall be known, and may be cited as, the Ballot DISCLOSE Act.
SEC. 2. The Legislature finds and declares all of the following:
(a) In addition to a ballot measure’s title, summary, and fiscal analysis, the identity of those who support and oppose a ballot measure provides voters with extremely important information that helps voters better evaluate and understand the value of the measure and to make more informed decisions on how to vote.
(b) Including the names of the signers of arguments for and against a measure on the measure’s ballot label serves as a useful condensed summary of those arguments in the state voter information guide in the same way that including the condensed title, summary, and fiscal analysis of the ballot measure serves as a useful condensed summary of the Legislative Analyst’s full analysis in the state voter information guide.

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

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

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

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

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

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

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

(2) The ballot title and summary shall include a summary of the Legislative Analyst’s estimate of the net state and local government
fiscal impact prepared pursuant to Section 9087 of this code and
Section 88003 of the Government Code.
(b) The condensed ballot title and summary shall not contain
more than 75 words and shall be a condensed version of the ballot
title and summary including the financial impact summary prepared
pursuant to Section 9087 of this code and Section 88003 of the
Government Code.
(c) (1) The ballot label shall include the condensed ballot title
and summary described in subdivision (b), followed by the
following:
(A) Under the heading "Supporters:”, a listing of
the names of nonprofit organizations, businesses, or individuals
taken from the signers of the ballot argument in favor of the ballot
measure or from the signers of the rebuttal to the argument against
the ballot measure printed in the state voter information guide
supporting the measure. The list of supporters shall include
only the names, titles, or the organizations of the signers of the
ballot argument supporting the measure or the rebuttal arguments
to the argument opposing the measure and shall not exceed 15
words. 125 characters in length. Each supporter shall be separated
by a semicolon. A nonprofit organization or business shall not be
listed unless it supports the ballot measure.
(B) Under the heading "Opponents:”, a listing of
the names of nonprofit organizations, businesses, or individuals
taken from the signers of the ballot argument against the ballot
measure or from the signers of the rebuttal to the argument in
favor of the ballot measure printed in the state voter information
guide opposing the measure. The list of opponents shall
include only the names, titles, or the organizations of the signers
of the ballot argument opposing the measure or the rebuttal
arguments to the argument supporting the measure and shall not
exceed 15 words. 125 characters in length. Each opponent shall
be separated by a semicolon. A nonprofit organization or business
shall not be listed unless it opposes the ballot measure.
(C) A signer shall not be listed pursuant to subparagraph (A)
or (B) unless it is one of the following:
(i) A nonprofit organization that was not originally created as
a committee described in Section 82013 of the Government Code,
that has been in existence for at least two years, and that, during
the two-year period prior to the time that the organization is listed
pursuant to subparagraph (A) or (B), either has received
ccontributions from more than 500 donors or has had at least one
full-time employee.

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

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

(iv) An individual who is not a current or former elected official
may be listed only with the individual’s first and last name and an
honorary (e.g., “Dr.”, “Md”, “PhD”, or “Esquire”), with no
other title or designation, unless it is a title representing a non-profit
organization or business that meets the requirements of paragraphs
(i) or (ii) and that is eligible to be listed under subparagraph (A)
if the individual supports the ballot measure or under
paragraph (B) if the individual opposes the ballot measure.

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

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

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

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

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by “None submitted”. If no list of opponents is provided by the
opponents or there are none that meet the requirements of this
section, then “Opponents” shall be followed by “None submitted.”

(H) Notwithstanding subparagraph (G), if a ballot lists ballot
labels for state ballot measures in more than one language on the
same page, the ballot may separate the lists of supporters and
opponents described by this section and list them each once in a
separate paragraph below the rest of the ballot labels that are
printed in the different languages. In that case, the word
“Supporters:” shall be listed once using the translation provided
by the Secretary of State as required by Section 9054 for each
language that appears on the ballot ahead of the list of supporters
required in subparagraph (A), and the word “Opponents:” shall
be listed once using the translation provided by the Secretary of
State as required by Section 9054 for each language that appears
on the ballot ahead of the list of opponents required in
subparagraph (B). Each supporter or opponent listed shall be
listed once if the translation provided by the Secretary of State as
required by Section 9054 for that supporter or opponent is the
same, or separated by a “/” if the translation for the supporter or
opponent is different. If some words in the translation of a
supporter or opponent name are different and some are the same,
the translation may list the translation for only the words that are
different. (E.g. for a dual English / Spanish ballot, “Assembly
Member Jane Smith” may be listed as “Assembly Member Jane
Smith / Miembro de la Asamblea Jane Smith” or as “Assembly
Member / Miembro de la Asamblea Jane Smith”.)

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

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

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

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

(C) In order to enable the Secretary of State to determine
whether the nonprofit organizations and businesses listed in the
supporters or opponents have been in existence for at least two
years, the proponents and opponents shall submit with the list of
supporters and opponents described in subparagraphs (A) and
(B) a certified copy of the articles of incorporation, articles of
organization, or similar document for each nonprofit organization
or business on the list that verifies that the nonprofit organization
or business has been in existence for at least two years.
(D) The Secretary of State shall confirm that a submission listing
supporters or opponents includes the documentation required by
subparagraphs (A) through (C) and otherwise meets the
requirements of this section. The Secretary of State shall ask the
proponents or opponents to resubmit a list if the requirements are
not met. The Secretary of State may establish deadlines by when
proponents or opponents must resubmit a list.
(d) In providing the ballot title and summary, the Attorney
General shall give a true and impartial statement of the purpose
of the measure in such language that the ballot title and summary
shall neither be an argument, nor be likely to create prejudice, for
or against the proposed measure.
(e) The Attorney General shall invite and consider public
comment in preparing each ballot title and summary.
SEC. 6. Section 9053 of the Elections Code is amended to read:
9053. Each measure shall be designated on the ballot by the
ballot label certified by the Secretary of State.
SEC. 7. Section 9170 is added to the Elections Code, to read:
9170. (a) Subject to subdivision (d), the ballot label or similar
description of a county, city, district, or school measure on a county
ballot shall end with all of the following:
(1) After the text “Supporters:”, a listing of associations,
nonprofit organizations, businesses, or individuals taken from the
signers of the argument in favor of the measure or from the signers
of the rebuttal to the argument against the measure printed in the
voter information guide. The list of supporters shall not exceed
125 characters in length. Each supporter shall be separated by a
semicolon. An association, nonprofit organization, or business
shall not be listed unless it supports the county measure.
(2) After the text “Opponents:”, a listing of associations,
nonprofit organizations, businesses, or individuals taken from the
signers of the argument against the measure or from the signers
of the rebuttal to the argument in favor of the measure printed in
the voter information guide. The list of opponents shall not exceed
125 characters in length. Each opponent shall be separated by a semicolon. An association, nonprofit organization, or business shall not be listed unless it opposes the county measure.

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

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

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

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

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

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

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

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

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

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

(10) If including the list of Supporters and Opponents in the
ballot labels as required by this section would necessitate the
printing of an extra ballot card compared to the ballot labels not
including them, the type size of the part of all of the ballot labels
starting with “Supporters” may be reduced by the minimal amount
needed to stop them from necessitating an extra ballot card, as
long as the type size is no smaller than 8-point and as long as the
type size is reduced by the same amount for all ballot measures.
(b) (1) The proponents of the measure shall provide the list of supporters described in paragraph (1) of subdivision (a) to the elections official when submitting arguments supporting the measure or the rebuttal arguments to the argument opposing the measure. For every supporter listed that is an association, a nonprofit organization, a business, or an individual whose title includes an association, nonprofit organization or business, the supporters shall include a signed statement by a representative of the association, nonprofit organization, or business, under penalty of perjury, that includes its name and an address and that attests
(1) that the association, nonprofit organization, or business supports the measure, (2) that the association, nonprofit organization, or business has been in existence for at least two years, and (3) that it was not originally created as a committee described in Section 82013 of the Government Code.

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

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

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

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

SEC. 8.

Section 13282 of the Elections Code is amended to read:

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

SEC. 9. The Legislature finds and declares that providing voters with information to better understand ballot measures is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 7 of this act adding Section 9170 of the Elections Code applies to all cities, including charter cities.
SEC. 10. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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


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 Ballot DISCLOSE Act.
2 SEC. 2. The Legislature finds and declares all of the following:
3 (a) In addition to a ballot measure’s title, summary, and fiscal analysis, the identity of those who support and oppose a ballot measure provides voters with extremely important information that helps voters better evaluate and understand the value of the measure and to make more informed decisions on how to vote.
4 (b) Including the names of the signers of arguments for and against a measure on the measure’s ballot label serves as a useful condensed summary of those arguments in the state voter information guide in the same way that including the condensed title, summary, and fiscal analysis of the ballot measure serves as a useful condensed summary of the Legislative Analyst’s full analysis in the state voter information guide.
SEC. 3. Section 303 of the Elections Code is amended to read:

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

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

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

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

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

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

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

(b) The condensed ballot title and summary shall not contain
more than 75 words and shall be a condensed version of the ballot
title and summary including the financial impact summary prepared
pursuant to Section 9087 of this code and Section 88003 of the
Government Code.
(c) (1) The ballot label shall include the condensed ballot title and summary described in subdivision (b), followed by the following:

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

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

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

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

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

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

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

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

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

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

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

(H) Notwithstanding subparagraph (G), if a ballot lists ballot labels for state ballot measures in more than one language on the same page, the ballot may separate the lists of supporters and opponents described by this section and list them each once in a separate paragraph below the rest of the ballot labels that are printed in the different languages. In that case, the word “Supporters:” shall be listed once using the translation provided by the Secretary of State as required by Section 9054 for each language that appears on the ballot ahead of the list of supporters required in subparagraph (A), and the word “Opponents:” shall be listed once using the translation provided by the Secretary of State as required by Section 9054 for each language that appears on the
ballot ahead of the list of opponents required in subparagraph (B).
Each supporter or opponent listed shall be listed once if the
translation provided by the Secretary of State as required by Section
9054 for that supporter or opponent is the same, or separated by
a “/” if the translation for the supporter or opponent is different.
If some words in the translation of a supporter or opponent name
are different and some are the same, the translation may list the
translation for only the words that are different. (E.g. for a dual
English / Spanish ballot, “Assembly Member Jane Smith” may be
listed as “Assembly Member Jane Smith / Miembro de la Asamblea
Jane Smith” or as “Assembly Member / Miembro de la Asamblea
Jane Smith”.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) An individual who is not a current or former elected official
may be listed only with the individual’s first and last name and an
honorific (e.g., “Dr.”, “Md”, “PhD”, or “Esquire”), with no other
title or designation, unless it is a title representing an association,
nonprofit organization, or business that meets the requirements of
subparagraphs (A) or (B) and that is eligible to be listed under
paragraph (1) if the individual supports the county measure or
under paragraph (2) if the individual opposes the county measure.
(4) Spaces, commas, semicolons, and other characters count
towards the 125-character limit in paragraphs (1) and (2).
(5) A signer shall not be listed pursuant to paragraph (1) or (2)
if the signer is a political party or is representing a political party.
(6) The name of an association, nonprofit organization, or
business included in the list of supporters and opponents as required
by this section may be shortened using acronyms, abbreviations,
or by leaving out words in their name, as long as doing so would
not confuse voters with another well-known organization or
business that did not take the same position on the ballot measure
(e.g., “Hot Air Balloon Flyers of Montana Education Fund” may
be shortened to “Hot Air Balloons Montana”).
(7) Supporters and opponents listed pursuant to paragraph (1)
or (2) shall be added as text after the condensed ballot title and
summary, if any, and may be separated by semicolons. Supporters
and opponents need not be displayed on separate horizontal lines
on the ballot. If no list of supporters is provided by the proponents
or there are none that meet the requirements of this section, then
“Supporters” shall be followed by “None submitted”. If no list of
opponents is provided by the opponents or there are none that meet
the requirements of this section, then “Opponents” shall be
followed by “None submitted.”
(8) Notwithstanding paragraph (7), if a ballot lists ballot labels
for measures in more than one language on the same page, the
ballot may separate the lists of supporters and opponents described
by this section and list them each once in a separate paragraph
below the rest of the ballot labels that are printed in the different
languages. In that case, the word “Supporters:” shall be listed once
using the translation for each language that appears on the ballot
ahead of the list of supporters required in paragraph (1), and the
word “Opponents:” shall be listed once using the translation for
each language that appears on the ballot ahead of the list of
opponents required in paragraph (2). Each supporter or opponent
listed shall be listed once if the translation for that supporter or
opponent is the same, or separated by a “/” if the translation for
the supporter or opponent is different. If some words in the
translation of a supporter or opponent name are different and some
are the same, the translation may list the translation for only the
words that are different. (E.g. For a dual English / Spanish ballot,
“Assembly Member Jane Smith” may be listed as “Assembly
Member Jane Smith / Miembro de la Asamblea Jane Smith” or as
“Assembly Member / Miembro de la Asamblea Jane Smith”.)
(9) If the ballot emphasizes the text “Supporters:” or
“Opponents:” by use of boldface font, underlining, or any other
method that differentiates that text from the list of supporters or
opponents that follow, the text “Supporters:” or “Opponents:” may
be displayed with only the initial letter capitalized. If that text is
not emphasized, then each letter of that text shall be capitalized.
(10) If including the list of Supporters and Opponents in the
ballot labels as required by this section would necessitate the
printing of an extra ballot card compared to the ballot labels not
including them, the type size of the part of all of the ballot labels
starting with “Supporters” may be reduced by the minimal amount
needed to stop them from necessitating an extra ballot card, as
long as the type size is no smaller than 8-point and as long as the
type size is reduced by the same amount for all ballot measures.
(b) (1) The proponents of the measure shall provide the list of
supporters described in paragraph (1) of subdivision (a) to the
elections official when submitting arguments supporting the
measure or the rebuttal arguments to the argument opposing the
measure. For every supporter listed that is an association, a
nonprofit organization, a business, or an individual whose title
includes an association, nonprofit—organization organization, or
business, the supporters shall include a signed statement by a
representative of the association, nonprofit—organization organization, or business, under penalty of perjury, that includes
its name and an address and that attests (1) that the association,
nonprofit organization, or business supports the measure, (2) that
the association, nonprofit organization or business has been in
existence for at least two years, and (3) that it was not originally
created as a committee described in Section 82013 of the
Government Code.
(2) The opponents of the measure shall provide the list of
opponents described in paragraph (1) of subdivision (b) to the
elections official when submitting the arguments opposing the
measure or the rebuttal arguments to the argument supporting the
measure. For every opponent listed that is an association, a
nonprofit organization, a business, or an individual whose title
includes an association, nonprofit organization or business, the
opponents shall include a signed statement by a representative of
the association, nonprofit organization or business, under penalty
of perjury, that includes its name and an address and that attests
(1) that the association, nonprofit organization, or business opposes
the measure, (2) that the association, nonprofit organization or
business has been in existence for at least two years, and (3) that
it was not originally created as a committee described in Section

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

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

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

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

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

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

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