



Policy on Measure Letter Designations

Policy Purpose

The purpose of this policy is to provide guidelines governing requests received by the Office of the Registrar of Voters to begin assigning measure letter designations with a letter other than "A," in compliance with the California Elections Code.

Policy Summary

During an election cycle, the Office of the Registrar of Voters (ROV) assigns a letter to each county, city, and local measure (collectively, "local measures"), to be printed alongside the description of the measure pursuant to California Elections Code (hereinafter "Elections Code") sections 13109 and 13116. The order of such measures on the ballot is governed by Elections Code section 13109(n), and measures are arranged in order on the ballot by jurisdiction type pursuant to that section. However, the ROV may adjust the order in which measures appear to allow for the most efficient use of space on the ballot. (Elections Code section 13109(o).) Once the order of measures has been determined pursuant to these sections, measure letters are assigned in alphabetical order as prescribed by Elections Code section 13116, beginning with the measure arranged as the first measure to appear on the ballot.

The county elections official may begin assigning letter designations for measures with a letter other than "A" to avoid voter confusion that might result from different local measures carrying the same letter designation in successive elections. (Elections Code section 13116(b).) Measures must be assigned letter designations alphabetically from the letter chosen by the county elections official. (*Id.*)



Requests may be made to the Registrar of Voters to begin assigning letter designations to measures with a letter other than "A" in the event that the anticipated letter designation for a measure will cause voter confusion due to different local measures carrying the same letter designation in successive elections. Any such request must:

- Be made by either:
 - The official measure proponent, or
 - The governing board of the district to which the measure relates;
- Be in writing;
- Be received by the ROV no later than 5:00 p.m. the 88th day preceding the election during which the measure will appear on the ballot;
- Be accompanied by a statement signed under penalty of perjury that the individual or organization making the request is the official measure proponent or the governing board of the district to which the measure relates; and
- Include language substantially similar to the following:

"We, the undersigned, hereby request that the County of Santa Clara Registrar of Voters invoke section 13116, subsection (b), of the California Elections Code and begin assigning measure letter designations with a letter other than "A" to avoid voter confusion. Voter confusion could arise if [insert title of measure] is assigned letter [insert letter causing confusion] because [list reasons for why assigning the specified letter would cause voter confusion]."

Any request submitted pursuant to this policy shall not be considered by the Registrar of Voters unless all other paperwork and documentation necessary for the relevant measure to appear on the ballot has been submitted to and received by the Registrar of Voters.

Requests to begin letter designations at a letter other than "A" shall be accommodated only as allowed under the Elections Code and are given priority, to the extent that they may be considered and accommodated



consistent with law, in the order in which they are received. The Registrar of Voters shall have the sole discretion to determine whether a request may be accommodated under the Elections Code and to determine the outcome when multiple requests are made to begin lettering at a letter other than "A."

This policy may be implemented through additional procedures and forms as determined by the ROV to be necessary and permissible by law.

Definitions

For the purposes of this policy, the following definitions apply:

- 1) "**Measure letter designation**" means the letter designating a measure that is printed on the left margin of the ballot pursuant to Elections Code section 13116.
- 2) "**Measure proponent**" means the individual, district board, city council, or other entity that is named on the resolution, measure petitions, or other official filed documents as the measure proponent.

Revision History

Date	Changes Made
5/24/2016	Policy adopted.

County of Santa Clara

Registrar of Voters

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MEASURE LETTERING JUSTIFICATION FORM

Effective May 24, 2016, Santa Clara County Registrar of Voters policy allows measure proponents and governing boards of districts to request that the Registrar of Voters (ROV) begin assigning measure letter designations with a letter other than "A" as permitted by California Elections Code section 13116(b) to avoid voter confusion in successive elections. Requests may be made to the ROV to begin assigning letter designations with a letter other than "A" in the event that the anticipated letter designation for a measure is likely to cause voter confusion in the manner described above. This form is designed to fulfill the requirements of the policy.

Pursuant to ROV policy, any such request must be in writing, and:

- Be made by either the official measure proponent, or the governing board of the district to which the measure relates;
- Be received by the ROV no later than 5:00 p.m. the 88th day preceding the election during which the measure will appear on the ballot; and
- Can be made by completing and signing the below form (or else provide separate signed correspondence including language substantially similar to the following):

I, the undersigned, hereby request that the County of Santa Clara Registrar of Voters invoke section 13116, subsection (b), of the California Elections Code, and begin assigning measure letter designations with a letter other than "A" to avoid voter confusion. Voter confusion could arise if:

[Insert title of measure] _____ is assigned letter
[Insert letter(s) causing confusion] _____ because, [*Explain reason(s)* for why assigning the
indicated letter(s) would cause voter confusion; attach a separate sheet if needed]: _____

I understand the ROV will only consider this request if all other paperwork and documentation necessary for the relevant measure to appear on the ballot has been submitted to and received by the ROV by no later than 5:00 p.m. the 88th day prior to the election on the above ballot measure(s). The ROV shall have the sole discretion to determine whether a request may be accommodated under the Cal. Elections Code, and to determine the outcome when multiple requests are made for the ROV to begin measure lettering after "A."

I hereby sign under penalty of perjury that by making this request, I am the official measure proponent, or that I am authorized to make this request by the district to which the measure relates.

Printed Name: _____ **Date:** _____

Signature: _____ **Title:** _____

E-Mail: _____ **Phone:** _____