

County of Santa Clara

Registrar of Voters

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Dear Candidate:

Congratulations on your decision to seek office in the upcoming Presidential Primary Election. Your candidacy provides voters in Santa Clara County a choice and sustains our democratic process.

There are many requirements associated with being a candidate. We have prepared this Candidate Guide to assist you in understanding these requirements. It contains valuable information pertaining to qualifications for office, terms of office, procedures, fees, forms, and dates.

Please keep in mind that this Candidate Guide is intended to be a resource and is not comprehensive nor does it constitute or substitute for legal advice. You are encouraged to seek legal counsel on questions of law.

We also recommend that you file as early as possible to ensure that your documents are complete and accurate. Filing deadlines are absolute. Waiting until the end of the filing period to file your documents could result in your name not being on the ballot if your documents are incomplete or in error.

The Office of the Registrar of Voters is open each weekday between the hours of 8:00 a.m. and 5:00 p.m., holidays excepted. We are located at 1555 Berger Drive, Bldg. 2, San Jose.

We want to provide you assistance that will make seeking office easier and an enjoyable learning experience. If you have any suggestions for improving this guide or our services, please let us know. If you have any questions or need additional information, please contact the Candidate and Public Services Division at 408-299-8639.

Best wishes to you in your campaign.

Sincerely,

A handwritten signature in cursive script that reads "Shannon Bushey".

Shannon Bushey
Registrar of Voters



*****NOTICE*****

All information in this guide is subject to change.

No duty is imposed upon the Office of the Registrar of Voters to determine whether a candidate meets the requirements for holding office. The Declaration of Candidacy, which each candidate must sign under penalty of perjury, states that the candidate meets the statutory and/or constitutional qualifications for office (including, but not limited to, citizenship, residency, etc.). This guide is intended to provide general information concerning the nomination and election of candidates, and does not have the force and effect of law, regulation, or rule. It is distributed with the understanding that neither the Secretary of State nor the Office of the Registrar of Voters is rendering legal advice, and, therefore, this information is not to be a substitute for legal counsel for the individual, organization, or candidate using it. In case of conflict, the law, regulation, or rule will apply.

Unless otherwise indicated, all code section references are to the California Elections Code.

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PRIMARY ELECTION CALENDAR

June 7, 2016

<u>DATE</u>	<u>ACTION</u>
January 4, 2016 – March 11, 2016	Nomination Period
March 9, 2016 – June 7, 2016	Report of Late Contributions of \$1,000 or more due within 24 hours of receipt or expenditure
March 17, 2016	The Secretary of State shall conduct the randomized alphabet drawings to determine the order in which candidates appear on the ballot
April 28, 2016	Pre-election Statement due for period 1/1/16 – 4/23/16
April 11, 2016 – May 24, 2016	Statements of Write-In Candidacy and Nomination Papers
May 9, 2016	First day for mailing of Vote By Mail Ballots
May 23, 2016	Last day to register to vote in the June Election
May 26, 2016	Pre-election Statement due for period 4/24/16 – 5/21/16
May 31, 2016	Last day to request vote by mail ballot to be mailed to voter
June 7, 2016	Election Day

CANDIDATE QUALIFICATIONS AND INFORMATION

General Information

Unless otherwise specifically provided, no person is eligible to be elected or appointed to an elective office unless that person is a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person or at the time of the person's appointment. §201

No declaration of candidacy for membership to a county central committee shall be filed by a candidate unless (1) at the time of presentation of the declaration and continuously for not less than three months immediately prior to that time, or for as long as he (or she) has been eligible to register to vote in the state, the candidate is shown by his or her affidavit of registration to be affiliated with the political party the nomination of which he or she seeks, and (2) the candidate has not been registered as affiliated with a qualified political party other than that political party the nomination of which he or she seeks within twelve months, or, in the case of an election governed by Chapter 1 (commencing with Section 10700) of Part 6 of Division 10, within three months immediately prior to the filing of the declaration.

Subject to the bylaws of the state central committee, a county central committee may establish the length of time that a candidate for membership on that committee must be shown by his or her affidavit of registration to be affiliated with the political party of that committee, and may establish the length of time that a candidate for membership on that committee must not have been registered as affiliated with a qualified political party other than the political party of that committee.

The elections official shall attach a certificate to the declaration of candidacy showing the date on which the candidate registered as intending to affiliate with the political party the nomination of which he (or she) seeks and indicating that the candidate has not been affiliated with any other qualified political party for the period specified in subdivision (a) immediately preceding the filing of the declaration. This section shall not apply to declarations of candidacy filed by a candidate of a political party participating in its first direct primary election subsequent to its qualification as a political party pursuant to Section 5100. §8001

A person is disqualified from holding any office upon conviction of designated crimes specified in the Constitution and laws of the State. Gov. Code §1021

“Party” means a political party, or organization qualified for participation in any primary election. §338

The parties qualified to participate in the June 7, 2016 Presidential Primary Election, at the time of printing this guide, are: (1) American Independent, (2) Democratic, (3) Green, (4) Libertarian, (5) Peace & Freedom and (6) Republican.

Term of Office:	4 years, commencing according to each party code
Filing Fee:	None
Nomination Signatures:	20 – 40

Filing Period

The candidate filing period begins **January 4, 2016**, and must be filed by **5:00 p.m., March 11, 2016**. There is no extension of the filing period for central committee candidates.

Number of Members to be Elected

Democratic Party

<u>Members Elected by Assembly District</u>	<u>Number of Members</u>
District 24, 25, 27, 28, 29, 30	6

Republican Party

<u>Members Elected by Supervisorial District</u>	<u>Number of Members</u>
District 1	7
District 2	2
District 3	4
District 4	5
District 5	6

American Independent Party/Green Party/Peace and Freedom Party

The data used to calculate number of members to be elected is not available at the time this guide is due for printing. The number of members to be elected will be given to you when the nomination period opens.

Document Information

Please review the “Nomination Documents and Filing Procedures” section of this guide for further information relating to the filing of declarations of candidacy and the circulation of nomination petitions.

Central committee members may not use the word(s) “Incumbent” or “Appointed Incumbent” as a ballot designation on the declaration of candidacy. Members may not use words designating central committee office as a ballot designation, pursuant to Elections Code §13107(a)(1).

SPECIAL NOTE: Peace and Freedom Party candidates. Up to three candidates for member of central committees in the same contest may have their names listed on a single nomination paper and the signatures obtained shall count towards the sponsor requirement of each candidate listed. The number of candidates’ names on a nomination paper, however, shall not exceed the number of members to be elected in a contest. §7777

SPECIAL NOTE: Green Party candidates. Candidates for member of county council in the same contest may have their names listed on a single nomination paper and the signatures obtained shall count towards the sponsor requirement of each candidate listed. The number of candidates’ names on a nomination paper shall not exceed the number of members to be elected in the District. §7918

WRITE-IN CANDIDATES

FILING DATES: April 11 through May 24, 2016

Candidates who desire to be a write-in candidate and have his or her name written on the ballot of an election shall fulfill the requirements of Part 3 of Subdivision 8 of the Elections Code, commencing at Section 8600.

Statement of Write-In Candidacy

Between April 11, 2016 and May 24, 2016, a candidate must file a Statement of Write-In Candidacy. The Statement of Write-In Candidacy shall contain the following information:

- candidate's name;
- candidate's complete residence address;
- a declaration stating that the candidate is a write-in candidate;
- the name of the office for which the candidate is running;
- the party nomination which he or she seeks; and
- the date of the election.

§8600

Nomination Papers

Between April 11 and May 24, 2016, a candidate must circulate nomination papers for required signatures and file them for examination with the county elections official. Petition signers must be of the same political party whose nomination the write-in candidate is seeking in the primary election.

§8601

Required number of nomination signature: 20 - 40

§8602

Filing Fee

No fee or charge shall be required of a write-in candidate.

§8604

ATTENTION

If you are registered as a Confidential Voter

and

Do not want to disclose your residential
address on the nomination documents

Check with us!

Eligibility to register as a confidential voter:

1. Superior Court order
2. Safe At Home Program
3. Public Safety Officer

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NOMINATION DOCUMENTS AND FILING PROCEDURES

All forms required for nomination and election to all County Central Committee offices shall be **furnished by the county elections official.** At the time of issuing these forms the county elections official shall:

- 1) type on the forms the name of the candidate and the office for which he or she is a candidate;
- 2) imprint a stamp on the form which reads "Official Filing Form;" and
- 3) affix his or her signature on the form.

The forms shall be distributed to all candidates applying for them. The county elections official shall not require a candidate to sign, file, or sign and file, a Declaration of Candidacy as a condition of receiving nomination papers. §§8020, 8101

NOMINATION PETITIONS

January 4 - March 11, 2016

Who Can Circulate

Each circulator of a petition shall be 18 years of age or older.

All signatures on a petition form must be obtained and witnessed by the same circulator. The circulator must complete, by hand, and sign the affidavit of the petition form. §104

Who Can Sign

Signers of nomination petitions shall be registered voters in the district or political subdivision in which the candidate is to be voted on and must also be registered in the same political party as the candidate. No signer shall, at the time of signing a certificate, have his or her name signed to any other nomination paper for any other candidate for the same office or, in case there are several places to be filled in the same office, signed to more nomination papers for candidates for that office than there are places to be filled. §§8068, 8069

Verification of Signatures on Nomination Papers

The county elections official shall verify the signatures and the political preference, if required, of the signers on the nomination paper with the registration affidavits on file in the office of the county elections official. The county elections official shall mark "not sufficient" any signature that does not appear in the same handwriting as appears on the affidavit of registration in his or her office, or that is accompanied by a declaration of party affiliation that is not in accordance with the declaration of party affiliation in the affidavit of registration. The county elections official may cease to verify signatures once the minimum requisite number of signatures has been verified. §8081

No defect in any nomination document presented shall prevent the filing of another nomination document within the period allowed for presenting the nomination document. §8102

Maximum Signers of Nomination Papers

Candidate is required to submit at least 20 and no more than 40 nomination signatures. No more signers shall be secured for any candidate than the maximum number required. If, however, through miscalculation or otherwise, more signers are secured than the maximum number, the officer with whom the nomination papers are filed shall, with the written consent of the candidate, withdraw the excess number. §8067

DECLARATION OF CANDIDACY (Required Form)

January 4 - March 11, 2016

No candidate's name shall be printed on the ballot to be used in the election unless a Declaration of Candidacy and nomination petition are delivered for filing with the county elections official. The candidate is to execute the Declaration of Candidacy **in the office of the county elections official unless** the candidate has signed and dated a written statement authorizing a person to receive a Declaration of Candidacy form from the county elections official for the candidate or, upon request of a candidate, the county elections official shall provide the candidate with a Declaration of Candidacy and nomination papers. Such statement shall include language explaining that the candidate is aware that the Declaration of Candidacy must be properly executed and delivered to the county elections official by 5:00 p.m., March 11, 2016.

§§8020, 8028

Name as it will Appear on the Ballot

The candidate's name as provided by the candidate on the Declaration of Candidacy is the way it will appear on the ballot. The Declaration of Candidacy cannot be changed after the nomination deadline. §13107(d)

No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name, in the case of any election to any office. §13106

If the candidate has changed his or her name within one year prior to the election, the new name will not appear on the ballot unless the change was made by marriage or by Decree of Court.

§13104

Ballot Designation

The ballot designation is the word, or group of words that will appear on the ballot under the candidate's name, designating the current principal profession, vocation, or occupation of the candidate. The ballot creation program has a limit of 100 characters in all languages for the ballot designation line. A ballot designation that exceeds 100 characters will be cut off. Therefore, lengthy ballot designations are discouraged by the Registrar of Voters' Office.

The ballot designation that a candidate may use is governed by Elections Code §13107 which states the following:

(a) With the exception of Candidates for Justice of the State Supreme Court or Court of Appeal, immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations:

- (1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior court judge.

(Section (a)(2) does not apply and is not listed to avoid confusion)

- (3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

(b) Neither the Secretary of State nor any elections official shall accept a designation of which any of the following would be true:

- (1) It would mislead the voter.
- (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
- (3) It abbreviates the word "retired" or places it following any word or words which it modifies.
- (4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of the word "retired."
- (5) It uses the name of any political party, whether or not it has qualified for the ballot.
- (6) It uses a word or words referring to a racial, religious, or ethnic group.
- (7) It refers to any activity prohibited by law.

(c) If, upon checking the nomination documents and the ballot designation worksheet described in Section 13107.3, the elections official finds the designation to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address provided on the candidate's ballot designation worksheet.

- (1) The candidate shall, within three days, excluding Saturday, Sunday, and state holidays, from the date he or she receives notice by registered or certified mail, or from the date the candidate receives actual notice of the violation, whichever occurs first, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide a designation that complies with subdivision (a).
- (2) In the event the candidate fails to provide a designation that complies with subdivision (a) within the three-day period specified in paragraph (1), no designation shall appear after the candidate's name.

(d) No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (c) or as provided in subdivision (e). The elections official shall maintain a copy of the ballot designation worksheet for each candidate that appears on the ballot in the county for the same period of time as applied to nomination documents pursuant to Section 17100.

Elections Code Section 13107.5 states:

- (a) A candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section 13107, if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:
 - (1) A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.
 - (2) A candidate is not engaged concurrently in another principal profession, vocation, or occupation.
 - (3) A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation, or occupation designation.
- (b) The Secretary of State has defined "Community Volunteer" as a person who engages in an activity or performs a service for or on behalf of, without profiting monetarily, one or more of the following: (1) A charitable, educational, or religious organization as defined by the United States Internal Revenue Code section 501(c)(3); (2) A governmental agency; or (3) An educational institution.

Withdrawal of Candidate

No candidate whose declaration of candidacy has been filed for any primary election may withdraw as a candidate at that primary election. §8800

POSITION ON THE BALLOT

Randomized Alphabet Drawing

On March 17, 2016, the Secretary of State will conduct a random drawing of the alphabet. Names of candidates will be arranged on the ballot in accordance with the random alphabet.

§13112

Insufficient Number of Candidates

If, by 5 p.m. on March 11, 2016, the number of candidates in any district does not exceed that number of seats to be filled, the names of the candidates shall not be printed on the ballot. The Board of Supervisors shall declare elected the candidates who have been nominated.

§§7228, 7423, 7673, 7772.1

ADDITIONAL NOMINATION FORMS

BALLOT DESIGNATION WORKSHEET (Required Form)

All candidates are required to file a Ballot Designation Worksheet that supports the use of the ballot designation listed on their Declaration of Candidacy. Failure to file this form will cause no designation to appear under the candidate's name on the ballot.

CHINESE GIVEN NAME/PREFERRED TRANSLITERATION (Required Form)

If you have a Chinese given name or preferred transliteration you would like used in the Official Ballot, you must file this form with our office at the time of filing your nomination documents.

CODE OF FAIR CAMPAIGN PRACTICES (Optional Form)

At the time an individual files his or her Declaration of Candidacy, nomination petition, or any other paper evidencing an intention to be a candidate for public office, the elections official shall give the individual a copy of the Code of Fair Campaign Practices and a copy of the provisions of Ch. 5, Div. 20 of the Elections Code.

§20440

DEPT. OF TRANSPORTATION STATEMENT OF RESPONSIBILITY (Informational Form)

The California Department of Transportation has specific guidelines and responsibilities pertaining to political signs placed within their areas of jurisdiction. Each candidate receives an informational form letter and a sample copy of the Department of Transportation's "Statement of Responsibility" form at the time nomination documents are issued.

CAMPAIGN FINANCE DISCLOSURE INFORMATION

The Political Reform Act requires candidates to file campaign statements disclosing contributions received and expenditures made. The statutory requirements of the Political Reform Act are contained in §§81000 through 91015 of the California Government Code. Manuals and forms relating to campaign reporting obligations under the Act may be obtained from your local elections official. Assistance and information on completing campaign statements is provided by the Technical Assistance Division of the Fair Political Practices Commission (FPPC) at 916-322-5660, 866-275-3772 or on their website at www.fppc.ca.gov.

Note: All campaign statements can be completed and printed on line on the FPPC website.

THIS SECTION IS FOR GENERAL INFORMATION ONLY AND DOES NOT HAVE THE EFFECT OF LAW, REGULATION OR RULE. IN CASE OF CONFLICT, THE LAW, REGULATION OR RULE WILL APPLY. THIS SECTION IS NOT COMPREHENSIVE AND DOES NOT DETAIL ALL FILING REQUIREMENTS AND OBLIGATIONS. FOR CURRENT COMPREHENSIVE INFORMATION, CONSULT A FPPC MANUAL OR CONTACT THE FPPC.

Candidates who DO NOT anticipate spending or receiving \$2,000 or more

Form 501 Candidate Intention Statement – This form announces the candidate’s intention to run for office. All candidates must file this form prior to solicitation or receipt of any contribution, or expenditure of any personal funds used for the election. This form is considered filed the date it is postmarked or hand delivered to the Office of the Registrar of Voters. Local candidates complete parts 1 and 3. An unsigned statement is not considered filed. You must file a separate Form 501 for each election.

Government Code §85200

Candidates who DO anticipate spending or receiving \$2,000 or more

Please refer to the appropriate manual for further details on filing requirements. Below is a brief description of some of the forms you may be required to file. FPPC forms are available from the FPPC’s website or at the Office of the Registrar of Voters.

Form 501 Candidate Intention Statement - Same requirements as stated above.

Form 410 Statement of Organization - This completed form must be filed with the Secretary of State’s Political Reform Division (original) and with the Office of the Registrar of Voters (copy), within 10 days of receiving \$2,000 in contributions or spending \$2,000 in expenditures. The term “contribution” includes monetary payments, loans and non-monetary goods or services. You will need to establish a campaign contribution account at any financial institution located in California before you can complete the Form 410. 1) All contributions or loans made to the candidate, to a person on behalf of the candidate, or to the candidate’s controlled committee shall be deposited in the account. 2) Any personal funds which will be utilized to promote the election of the candidate shall be deposited in the account prior to expenditure. 3) All campaign expenditures shall be made from this account.

Government Code §85201

Upon filing of the Form 410 with the Office of the Secretary of State, you will be issued a committee ID number, which you must include on all subsequent disclosure filings. A Form 410 may be filed **prior** to the receipt of \$2,000 in order to obtain an ID number and/or to submit bank account information. However, within ten days of receiving or spending \$2,000 or more, you must file an **amended Form 410**. The date you qualify as a committee is the date you received \$2,000 or more. Any time you change any information listed on a previously filed Form 410, such as addresses or treasurer information, you must file an **amended Form 410**. All amended forms must be filed with both the Secretary of State/Political Reform Division and the Office of the Registrar of Voters.

Once you have filed your Form 410 and have been assigned your ID number, you will file the Form 460 Recipient Committee Campaign Statement according to the filing calendar set by the FPPC. **ALL** candidate controlled committees **MUST FILE** the Form 460 by the appropriate deadlines for each filing period. **If you do not file your campaign statement by the deadline, you are subject to a fine.** Local candidates file their Form 460 reports only with the Office of the Registrar of Voters.

The Form 410 is also used to **terminate** your committee upon fulfilling all applicable requirements.

Form 460 - Recipient Committee Campaign Statement – For use by a candidate or officeholder who anticipates to receive or spend over \$2,000 for his/her campaign or who is filing jointly with one or more controlled committees. A controlled committee is one that is controlled directly or indirectly by a candidate or which acts jointly with a candidate or controlled committee in connection with the making of expenditures.

Form 496 – 24-hour Independent Expenditure Report – This form **may** be used to report a late independent expenditure and must be filed within 24 hours of making the independent expenditure **and** each time \$1,000 or more is spent to support or oppose a single candidate or measure during the 90 day period up to the day of the election in which the candidate or measure is being voted on. For local campaign committee, this form must be filed electronically. (Government Code Section §85501 prohibits a candidate’s controlled committee from making an independent expenditure to support or oppose another candidate.)

Form 497 – 24-hour Contribution Report – This form **may** be used to report a late contribution made or received. Late contributions must be reported within 24 hours of receiving a monetary or nonmonetary contribution, including a loan, or a combination of monetary and nonmonetary contributions and loans that total **\$1,000 or more from a single source**, during the 90 day period up to the day of the election in which the candidate or measure is to be voted on.

Election Related Filings

All committees must file reports by the filing deadline for the specific period set by the FPPC. These dates are set by law and cannot be changed. You will be advised to amend your statement if your report does not list the correct reporting period. Forms 410 and 501 must be filed in paper; forms 460 and 497 must be filed electronically. A copy of the FPPC calendar is in this section.

**Fair Political Practices Commission
Filing Schedule for
Candidates and Controlled Committees for Local Office
Being Voted on June 7, 2016**

Deadline	Period	Form	Notes
Feb 1, 2016 <i>Semi-Annual</i>	* – 12/31/15	460 or 470	<ul style="list-style-type: none"> ▪ Form 460: All committees must file Form 460. ▪ Form 470: If a candidate has raised or spent less than \$1,000 during 2015, file Form 470. ▪ The January 31 deadline falls on Sunday, so the deadline is extended to the next business day.
Within 24 Hours <i>Contribution Reports</i>	3/9/16 – 6/7/16	497	<ul style="list-style-type: none"> ▪ File if a contribution of \$1,000 or more in the aggregate is received from a single source. ▪ File if a contribution of \$1,000 or more in the aggregate is made in connection with <i>another</i> candidate or ballot measure being voted on the June 7 ballot or to a political party committee. ▪ The recipient of a non-monetary contribution of \$1,000 or more must file a Form 497 report within 48 hours from the time the contribution is received. ▪ File by personal delivery, e-mail, guaranteed overnight service, fax or online, if available.
Apr 28, 2016 <i>Pre-Election</i>	1/1/16 – 4/23/16	460 or 470	<ul style="list-style-type: none"> ▪ Each candidate listed on the ballot must file Form 460 or Form 470 (see below).
May 26, 2016 <i>Pre-Election</i>	4/24/16 – 5/21/16	460	<ul style="list-style-type: none"> ▪ All committees must file this report. ▪ Paper copies must be filed by personal delivery or guaranteed overnight service only.
Aug 1, 2016 <i>Semi-Annual</i>	5/22/16 – 6/30/16	460	<ul style="list-style-type: none"> ▪ All committees must file unless the committee filed termination Forms 410 and 460 before June 30, 2016. ▪ The July 31 deadline falls on a Sunday, so the deadline is extended to the next business day.

- **Local Ordinance:** Always check on whether additional local rules apply.
- *** Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **Filing Deadlines:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to 24-hour independent expenditure reports (Form 496) and the deadline for the Form 497 that is due the weekend before the election. Such reports must be filed within 24 hours regardless of the day of the week. Statements filed after the deadline are subject to a \$10 per day late fine.
- **Method of Delivery:** All paper filings are filed by personal delivery or first class mail unless otherwise noted. A paper copy of a report may not be required if a local agency requires online filing pursuant to a local ordinance.
- **Form 501:** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.

Fair Political Practices Commission

- **Form 460:** Candidates who have raised/spent \$2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent. During 2015, these thresholds were at \$1,000.
- **Form 470 (2015):** If a candidate raised or spent less than \$1,000 during 2015 and does not have an open committee, a Form 470 is required to be filed by February 1, 2016.
- **Form 470 (2016):** Candidates who do not have an open committee and do not raise or spend \$2,000 in 2016 may file Form 470 on or before April 28, 2016. If, later during the calendar year, a campaign committee must be opened, a Form 470 Supplement and a Form 410 must be filed.
- **Candidates:** After an election, reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open.
- **Public Documents:** All forms are public documents. Campaign manuals and instructional materials are available at www.fppc.ca.gov, click on the Campaign link.
- Committees making independent expenditures to support or oppose candidates or ballot measures also file:
 - **462:** A verification form must be e-mailed to the FPPC within 10 days of an independent expenditure of \$1,000 or more.
 - **496:** This form is due within 24 hours when made in a 90-day period of the election. Refer to the candidate or ballot measure election filing schedule.

FPPC ONLINE ELECTRONIC FILING SERVICE

COUNTY MANDATE FOR ALL

The Office of the Registrar of Voters launched its online electronic filing system on July 1, 2003 and in doing so, led the way for electronic filing of FPPC campaign statements at the County level. The electronic filing system allows officeholders, candidates and committees to prepare and file their required FPPC campaign statements online anytime at their convenience at no charge.

County Ordinance No. NS-300.857 (rev. 4/23/14) requires that whenever any officeholder, candidate or committee (also referred to as “filer”) is required by the California Political Reform Act to file the original of the following statements or reports with the Registrar of Voters, the filer shall file the statement electronically:

- Semi-annual campaign statement;
- Pre-election campaign statement;
- Amended campaign statement;
- Supplemental pre-election campaign statement;
- Report disclosing contribution received by or made to candidate or local ballot measure of \$1,000 or more, from a single source, during the election cycle;

Filings of paper copies are not required for statements or reports that are filed electronically with the Registrar of Voters pursuant to this Ordinance.

Electronic filing of campaign statements in Santa Clara County brings many benefits, one of which is that all electronically filed campaign statements are viewable (with addresses redacted) online, providing easier public access to campaign statements.

If you have any questions about this filing requirement, please contact Candidate and Public Services Division at 408-299-8639.

CODE OF FAIR CAMPAIGN PRACTICES

(Election Code Sections 20400-20444)

Background Information

In 1982, legislation was passed which established a "Code of Fair Campaign Practices" in California which could be voluntarily subscribed to by candidates for public office. Amendments in 1987 expanded the provisions of the code so as to apply to committees formed primarily to support/oppose a ballot measure, and also reaffirmed civil liability provisions pertaining to libel and slander in campaign advertising and communications.

The text of the provisions of the Code of Fair Campaign Practices is listed on the following pages.

Registrar of Voters Requirement

The Office of the Registrar of Voters is required, at the time an individual is issued his/her Declaration of Candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, to provide the candidate a blank form on which to subscribe to the "Code of Fair Campaign Practices" and a copy of the Elections Code provisions.

Voluntary Subscription

Subscription to the Code is voluntary. Completed forms are to be filed with the Office of the Registrar of Voters and shall be retained for public inspection until 30 days after the election.

PROVISIONS OF THE CODE OF FAIR CAMPAIGN PRACTICES

as found in Chapter 5 of Division 20 of the California Elections Code

Chapter 5. Fair Campaign Practices

Article 1. General Intent

20400. The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

Article 2. Definitions

20420. As used in this chapter, "Code" means the Code of Fair Campaign Practices.

Article 3. Code of Fair Campaign Practices

20440. At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee. The text of the code shall read, as follows:

20441. The Secretary of State shall print, or cause to be printed, blank forms of the code. The Secretary of State shall supply the forms to the elections officials in quantities and at times requested by the elections officials.

20442. The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

20443. Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

20444. In no event shall a candidate for public office be required to subscribe to or endorse the code.

“CODE OF FAIR CAMPAIGN PRACTICES

§ 20440

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit this criticism.
- (2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
- (3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on a candidate’s actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.
- (4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
- (5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.
- (6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group that resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics which I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.”

Print Name

Signature

Date

Office

LAWS GOVERNING CAMPAIGN PRACTICES

Political Advertising

Any paid political advertisement that refers to an election or to any candidate for state or local elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement". The words shall be set apart from any other printed matter. As used in this section "Paid Political Advertisement" shall mean and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office. §20008

Local municipal jurisdictions have each established ordinances regarding political advertising and signs. Refer to the "Outdoor Political Advertising Guidelines" section in this guide for contact information for each of the city clerks in Santa Clara County to obtain further information.

Simulation of the Ballot

Every simulated ballot or simulated sample ballot shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the statement or words or in 10-point roman type, whichever is larger, in a printed or drawn box and set apart from any other printed matter, the following statement:

"NOTICE TO VOTERS
"(Required by Law)

"This is not an official ballot or an official sample ballot prepared by the county elections official or the Secretary of State.

"This is an unofficial, marked ballot prepared by _____ (insert name and address of the person or organization responsible for preparation thereof)."

Violations will result in a court injunction. Our office is available to review proposed ballot simulations. §20009

Campaign Literature Containing Polling Place of Voter

No person shall distribute, or cause to be distributed, literature to voters which includes the designation of a voter's polling place other than the precinct polling place listed for that voter in the latest official precinct polling place list prepared within 30 days prior to such distribution. (§18302). Violations may result in criminal penalties.

Candidates are requested not to distribute or mail campaign literature telling a voter where his/her polling place is located. It is not only confusing to voters, but invariably some polling place changes occur in the last few days before an election. In the past, candidates have mailed or had distributed campaign literature telling voters to go to the wrong polling place. We are sure you can understand the problems this causes for voters and our staff, as well as for the candidate.

Mass Mailing/Campaign Literature

The definition of "Mass Mailing" is two hundred (200) or more identical or nearly identical pieces of mail, but does not include a form letter or other mail which is sent in response to a unsolicited request, letter or other inquiry. Government Code §82041.5

Mass Mailing Requirements

Effective April 6, 2011, all campaign committees, including candidate, ballot measure, general purpose, major donor and independent expenditure committees, must provide the words "**Paid for by**" when the committee sends a mass mailing. This identification must be presented in the same size and color as the committee name-no less than 6 point type and in a color or print that contrasts with the background and is easily legible. The words "**Paid for by**" shall be immediately adjacent to and above or immediately adjacent to and in front of the committee name and address. (FPPC Regulation 18435)

Example:

Paid for by Committee to Elect Doe to City Council 2012, 1234 Main Street, Sacramento, CA 95555

Section 84305 of the Government Code provides as follows:

- (a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of such mailing in no less than 6-point type. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.
- (b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.
- (c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

Mass Mailing Prohibitions

NO newsletter or other mass mailing shall be sent at public expense. Government Code 89001

False or Misleading Information to Voters

No candidate shall submit any nomination paper or declaration of candidacy knowing that any part of it has been made falsely. (§18203) Violations may result in criminal penalties. No candidate shall attempt to mislead the public by pretending or implying by his statements or conduct that he is an incumbent of a public office or that he has acted in the capacity of a public officer when this is not the case. (§18350) Violations may result in civil penalties. In the occupational designation on the ballot, no candidate shall assume a designation which would mislead the voters. §13107

ELECTIONEERING ON ELECTION DAY

On Election Day, no person at any time shall be within 100 feet of a polling place or an elections official's office and:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his ballot.
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his qualifications except as provided in Section 14240 of the Election Code. No person other than the precinct board or election official may challenge or question any voter regarding his/her qualifications.
- (d) Electioneering, which is currently defined to mean the visible or audible dissemination of information that advocates for or against any candidate or measure on the ballot within 100 feet of a polling place, an election official's office, or a satellite location.

As used in this section, "100 feet of a polling place or an election official's office" shall mean a distance 100 feet from the entrance to the room or rooms in which voters are signing the roster and casting ballots.

Any person who violates any of the provisions of this section is guilty of a misdemeanor and if intimidation is used, a felony. (§§18370, 18541) Persons who conspire to violate Section 18543 (challenging without probable cause) are guilty of a felony.

Section 18403 of the Elections Code provides that any person other than an elections official or a precinct board member who receives a voted ballot from a voter or who examines or solicits the voter to show his or her voted ballot is punishable by a fine not exceeding ten thousand dollars (\$10,000), by state imprisonment for 16 months or two or three years, by imprisonment in a county jail not exceeding one year, or by both the fine and imprisonment. This section shall not apply to persons returning vote by ballot pursuant to Sections 3017 and 3021 or persons assisting a voter pursuant to Section 14287.

Section 18540 provides that (a) Every person who makes use of or threatens to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

(b) Every person who hires or arranges for any other person to make use of or threaten to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

Section 18544 provides that (a) Any person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, who is stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate city or county elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years, or in a county jail not exceeding one year, or by both that fine and imprisonment.

(b) This section shall not apply to any of the following: (1) An unarmed uniformed guard or security personnel who is at the polling place to cast his or her vote. (2) A peace officer who is conducting official business in the course of his or her public employment or who is at the polling place to cast his or her vote. (3) A private guard or security personnel hired or arranged for by a city or county elections official. (4) A private guard or security personnel hired or arranged for by the owner or manager of the facility or property in which the polling place is located if the guard or security personnel is not hired or arranged solely for the day on which an election is held.

OUTDOOR POLITICAL ADVERTISING GUIDELINES

County Political Sign Regulations

Within unincorporated areas of the county (areas not incorporated into one of the cities within the county), the following County Code sections will apply:

4.40.100 Political Signs

A. *Intent.* It is the intent of this section to encourage participation by the electorate in political activity but to assure that political signs will be located, constructed and removed in a manner to assure the public safety and general welfare.

B. *Permitted subject to regulation.* Notwithstanding any other provision of this chapter, political signs are permitted without an architecture and site approval in any zoning district, subject to all of the following regulations:

1. No political sign shall be located in violation of Division B17, Chapter II, commencing with Section B17-18, of the County Ordinance Code;

2. No political sign shall exceed 16 square feet in surface area in any R1, R1E, RHS, R1S or R2 zoning district unless it is located on a vacant lot, in which case it shall not exceed 32 square feet; and

3. Each political sign shall be removed within ten days following the final election to which such sign relates.

C. *Exception.* This section shall not apply to commercial outdoor advertising structures lawfully located in zoning districts under this ordinance and maintained by persons licensed under California Business and Professions Code Div. 3, Ch. 2.

5.80.040 Enforcement

Pursuant to California Penal Code Section 836.5, the County Zoning Investigators are authorized to enforce the provisions of this ordinance and to issue citations for violations thereof. There shall be no civil liability on the part of, and no cause of action shall arise against, any Zoning Investigator acting pursuant to this section and within the scope of his or her authority.

The Santa Clara County Office of Planning provides enforcement of the County Political Sign Regulations. You may contact the Office of Planning at 408-299-5770.

State Political Sign Regulations

The California Department of Transportation has specific guidelines and responsibilities pertaining to political signs placed within their areas of jurisdiction. This information will be issued to candidates when they pick up nomination papers.

City Political Sign Regulations

The placement of signs within the city limits is regulated by each respective city. Listed below is the contact information for each city/town clerk's office within Santa Clara County. Please contact the appropriate city office(s) if you have any questions.

CAMPBELL

Wendy Wood
70 N. First St.
Campbell, CA 95008
408-866-2116

LOS GATOS

Shelley Neis
110 E. Main St.
Los Gatos, CA 95030
408-354-6853

PALO ALTO

Beth Minor
250 Hamilton Ave.
Palo Alto, CA 94301
650-329-2571

CUPERTINO

Grace Schmidt
10300 Torre Ave.
Cupertino, CA 95014
408-777-3223

MILPITAS

Mary LaVelle
455 E. Calaveras Blvd.
Milpitas, CA 95035
408-586-3000

SAN JOSE

Toni Taber
200 E. Santa Clara St.
San Jose, CA 95113
408-535-1260

GILROY

Shawna Freels
7351 Rosanna St.
Gilroy, CA 95020
408-846-0400

MONTE SERENO

Andrea Chelemengos
18041 Saratoga/Los Gatos Rd.
Monte Sereno, CA 95030
408-354-7635

SANTA CLARA

Rod Diridon
1500 Warburton Ave.
Santa Clara, CA 95050
408-615-2220

LOS ALTOS

Jon Maginot
1 N. San Antonio Rd.
Los Altos, CA 94022
650-947-2720

MORGAN HILL

Irma Torrez
17575 Peak Ave.
Morgan Hill, CA 95037
408-779-7259

SARATOGA

Crystal Bothelio
13777 Fruitvale Ave.
Saratoga, CA 95070
408-868-1269

LOS ALTOS HILLS

Deborah Padovan
26379 Fremont Rd.
Los Altos Hills, CA 94022
650-941-7222

MOUNTAIN VIEW

Lorrie Brewer
500 Castro St.
Mountain View, CA 94041
650-903-6304

SUNNYVALE

Kathleen Franco-Simmons
456 W. Olive Ave.
Sunnyvale, CA 94088
408-730-7483

VOTER INFORMATION/ELECTION DATA/MAPS

Per confidentiality laws of 1995, voter information is confidential; however, there are specific permissible exceptions to the law. The California Administrative Code, Title 2, Division 7, Article 1, Section 19003, specifies permissible uses for any data obtained from voter registration files. Permissible usage includes direct election campaigning, surveys in conjunction with an election campaign, and distribution of information of a political nature. Data obtained from voter registration or election files may not be sold, leased, loaned, reproduced, or possession thereof relinquished without receiving written authorization to do so from the Secretary of State or the Office of the Registrar of Voters. Prohibited usage includes commercial purposes and solicitations of contributions or services for any purpose other than on behalf of a candidate or political party, or in support of or opposition to a ballot measure.

Public Viewing Terminals

The voter registration database may be viewed from a public terminal in the lobby area of the Office of the Registrar of Voters. The public viewing terminal is available during normal business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. The public terminal screen does not reveal confidential voter registration information. Confidential information includes such items as: residential street address, telephone number, precinct number, date of birth, occupation, driver's license number and the last four digits of a social security number.

Confidential Viewing Terminals

Viewing of the confidential voter registration database is only available in the Office of the Registrar of Voters. To view the confidential voter registration database, a person will be required to provide identification and complete an Application for Voter Information. The confidential viewing terminal is available Monday through Friday, 8:00 a.m. to 4:45 p.m.

Purchasing Voter Information

Voter information is available for purchase from the Office of the Registrar of Voters. Voter information may be purchased only through our office at 1555 Berger Drive, San Jose. When purchasing voter information, you will be asked to complete an Application for Voter Information and explain in detail for what purposes the voter information will be used. All orders for voter information must be paid for in advance. Orders are processed in the order they are received. Generally, there is a 3-5 business day turnaround.

Vote by Mail voter information requests require a 24 hour advance notice and subsequent updates will be available on Monday, Wednesday, and Friday after 10:00 a.m. For more information, please contact the Vote by Mail Division at 408-299-8640.

Purchasing Maps

Maps are available for purchase from the Office of the Registrar of Voters. Maps may be purchased at our office at 1553 Berger Drive, San Jose. Contact Bob Nguyen, Mapping Division Coordinator, at 408-282-3037 for more information on ordering maps.

VOTE BY MAIL

All registered voters may apply and vote by mail.

Any person, including candidates and members of campaign organizations, can distribute applications for Vote by Mail ballots as long as the application meets the requirements of California Elections Code Section 3007 as to its contents. The name of any organization, which authorizes the distribution of Vote by Mail applications, shall be included on the application.

Upon request a Vote by Mail application form will be provided. The application form contains all information required by law.

Any individual, organization or group which distributes applications for Vote by Mail ballots and receives completed application forms back from voters, shall deliver the forms to the appropriate elections official within 72 hours of receiving the completed forms. Elections Code Section 18576 makes it a misdemeanor to delay the proper return of a Vote by Mail application.

Important Vote by Mail Dates* Primary Election – June 7, 2016	
March 8	Vote by Mail application form is available for reproduction and distribution.
May 3	First day for campaigns to purchase election specific Vote by Mail information.
May 9	First day Vote by Mail ballots can be issued.
May 9 – June 6 Mon. – Fri., 8 a.m. – 5 p.m. May 28 – May 29 Sat. – Sun., 9 a.m. – 3 p.m. June 4 – June 5 Sat. – Sun., 9 a.m. – 3 p.m. June 7 Election Day, 7 a.m. – 8 p.m.	Dates and times for voting in the Office of the Registrar of Voters.
May 31	DEADLINE FOR ROV OFFICE TO RECEIVE VOTE BY MAIL APPLICATIONS If the Vote by Mail ballot is to be <u>mailed</u> to the voter, the application must be received by 5:00 p.m. in the Office of the Registrar of Voters.
June 7 Election Day	All voted ballots must be returned by 8:00 p.m. on election day or postmarked on or before election day and received by June 10, 2016.

*All dates are for 2016.

ELECTION DAY & CANVASS OF RESULTS

Election Day Information

Election Officers assist the Office of the Registrar of Voters in conducting the election on Election Day. The polls officially open at 7:00 a.m. and close at 8:00 p.m. on Election Day. Any voter waiting in line to vote at 8:00 p.m. will be allowed to vote. An Election Officer's day begins at 6:00 a.m. and does not conclude until approximately 10:00 p.m.

Election Night Tabulation

Under the direction of the Office of the Registrar of Voters, the optical scan ballots and Direct Record Electronic (DRE) voting results cartridges are processed and tallied by staff and paid volunteers at 1555 Berger Dr., San Jose. Beginning at approximately 8:05 p.m., results are available on our website at www.sccvote.org. The first results reported are Vote by Mail ballots. Updates will occur approximately every 45 minutes. Voting precinct ballots are normally in updates after 10 p.m. If this target time cannot be met, the Registrar of Voters Website banner will be updated with information as to our current situation and predicted update time.

Beginning at 8:00 p.m., candidates, media representatives, and the public may view and monitor election results in Media Room 181. Room 181 is located directly across from the Auditorium and next to the Cafeteria. For more information about viewing election results, please contact Philip Chantri at 408-282-3008.

Anyone is also welcome to view the vote tabulation process. If you are interested in viewing this process, please contact Nancy Price at 408-282-3005 and we will be happy to make the necessary arrangements so you can be escorted to the Public Viewing Area.

Thousands of voted Vote by Mail ballots are turned in at the polling places on Election Day. Those ballots must be signature checked before they can be prepared for tabulation. As a result, up to 20% of the total number of voted Vote by Mail ballots are not counted and reported in the election results until a few days later. In addition, provisional ballots are voted at the polling places on Election Day. The registration and voting status of each of these provisional voters must be individually researched for eligibility before ballots can be counted. Researching and qualifying the provisional ballots is a very time-consuming process. As a result, provisional ballots are not counted and reported in the election results until the processing is complete.

Sometimes candidates in very close races request the Office of the Registrar of Voters to immediately count the outstanding Vote by Mail and provisional ballots for the specific election precincts constituting the jurisdiction of the office for which they are running. The Office of the Registrar of Voters cannot accommodate this request because the process is too disruptive to the overall tabulation process and too prone to human error, i.e. the omission of some of the outstanding precinct ballots.

Election Results

As stated above, semi-official election results are also available anytime after 8:05 p.m. Election Night on our website at www.scevote.org. Election results will be available by telephone to anyone wishing to monitor the returns. You may call 408-299-8639 to obtain election results.

Official Canvass of the Returns

The Office of the Registrar of Voters conducts an official canvass of the vote by mail and polling place election returns. This process involves the reconciliation of ballots issued, voter signatures, voted ballots and reported vote totals for each Vote by Mail and voting precinct. In addition, our office performs a 100% recount of all DRE machines, and 1% manual recount. When completed, a certified statement of the election results is submitted to the Board of Supervisors, and each participating jurisdiction. Pursuant to law, the Office of the Registrar of Voters has until July 7, 2016 to complete the canvass and certify the results. Anyone may view or purchase copies of the final results in the Office of the Registrar of Voters.

HELPFUL CONNECTIONS

Provided below is a quick reference of telephone numbers and Internet addresses to assist you with questions you may have during your campaign.

Secretary of State

www.sos.ca.gov

Elections Division
916-657-2166
Information & Election Fraud Hot-Line
800-345-VOTE (8683)

Political Reform Division
916-653-6224

Registrar of Voters, Santa Clara County

www.sccvote.org

Main 408-299-VOTE (8683)
866-430-VOTE (8683)
Candidate and Public Services
408-299-8639
Voter Services
408-299-8683

Vote by Mail
408-299-8640
Election Officers
408-299-POLL (7655)

Fair Political Practices Commission

www.fppc.ca.gov

Technical Assistance Division
916-322-5660 or
866-ASK-FPPC (275-3772)
Enforcement Division
916-322-5660

Federal Election Commission

www.fec.gov

800-424-9530

NetFile

filerhelp@netfile.com

California Legislative Information

<http://leginfo.legislature.ca.gov/>

Text of California Codes

League of Women Voters/Smart Voter

www.smartvoter.org/ca/scl

Find your representatives
Information on measures & candidates

Population Statistics & Historical Data

www.sccplanning.org

Links to State Dept. of Finance and
ABAG. These departments make
population projections every 2 years.

County of Santa Clara

Registrar of Voters

1555 Berger Drive, Bldg. 2
San Jose, CA 95112
Mailing Address: P.O. Box 611360, San Jose, CA 95161-1360
(408) 299-VOTE (8683) 866-430-VOTE (8683) FAX: (408) 998-7314
www.sccvote.org



Dear Candidate:

Now that you have filed as a candidate, I want to encourage you to participate in Smart Voter, a non-partisan project of the League of Women Voters of California Education Fund. Smart Voter provides free webpages for candidates.

The Registrar's office is an active Smart Voter partner and urges you to take advantage of this valuable opportunity to get your message out to your voting audience. Informed citizens are more likely to vote.

The Smart Voter project provides an opportunity for you to let voters know who you are and where you stand on the issues. This non-partisan project was developed by the League to utilize Internet technology to inform voters about candidates and issues, and to provide an easy personal ballot lookup. Participation is free and open to all candidates. Voters can then see information about your race at www.smartvoter.org/ca/scl, using their personal computers, smartphones, or any other source of access to the Internet.

Sometime after the close of the nomination filing period, you will receive an email message or letter from your local League of Women Voters in Santa Clara County providing information and instructions on how to get started. If you do not receive an invitation from your local League within three weeks after the close of filing, feel free to send an inquiry to ca-scl@smartvoter.org.

I encourage you to participate in the Smart Voter project.

Sincerely,

A handwritten signature in cursive script that reads "Shannon Bushey".

Shannon Bushey
Registrar of Voters



ELECTION OFFICERS NEEDED!

The Santa Clara County Registrar of Voters needs help at the polls for the Presidential Primary Election on June 7, 2016. This is a great way to be a part of the democratic process, serve your community, and make money for yourself or your favorite organization. Experience not necessary! Paid training is provided.

There is also a critical need for Election Officers who are bilingual in English and Chinese, Hindi, Japanese, Khmer, Korean, Spanish, Tagalog or Vietnamese. Volunteers receive \$115-\$200 paid stipends and Bilingual Election Officers are paid an additional \$10.00.

You must be 18 years or older, a U.S. citizen and a registered voter of the State of California; or a legal permanent resident; or a high school student, 16 years or older, on or before Election Day, with at least a 2.5 GPA and approval from your parents and your school administration.

If you are interested, call:

English: 408-299-POLL (7655)
Spanish: 408-282-3095
Vietnamese: 408-282-3097
Chinese: 408-282-3086
Tagalog: 408-282-3089
Hindi, Japanese, Khmer & Korean: 408-299-POLL (7655)

Or visit our website

www.sccvote.org

FREQUENTLY ASKED QUESTIONS

When and where can I pick up and file my nomination documents?

The candidate filing period is January 4, 2016 – March 11, 2016. Nomination documents may be picked up at the Office of the Registrar of Voters. Nomination documents may only be filed at the Office of the Registrar of Voters.

Is there a way to check the validity of signatures I collect on my petitions?

Yes, a candidate qualifies to view confidential voter information at the Office of the Registrar of Voters. You can view the voter database and verify if a signer on your petition is registered to vote and at what address. The confidential terminal is available for usage during normal office hours. There are two terminals available for use on a first come, first served basis.

When is the candidate nomination extension period?

There is no nomination extension for County Central Committee candidates.

May my spouse, relative, friend or campaign manager pick up and/or file nomination documents for me or can I mail them to you?

Yes, all forms may be picked up or filed by a candidate or a representative of the candidate. However, if someone other than the candidate is picking up nomination papers, they must have specific written authorization to do so. However, candidates are urged to file in person. The reasons are twofold:

- A. The oath of office on the Declaration of Candidacy must be administered by a member of the Registrar of Voters staff, an authorized public official, or a notary public. It is much easier for a candidate to file the nomination papers in person and have the oath administered at the time he or she files; and
- B. The signature of the candidate, as well as other data, is required on many documents involved in the nomination process. If through an oversight the nomination papers are incomplete, the problem can easily be rectified when a candidate files in person.

If the candidate wishes to mail the nomination papers, they must be sent by certified mail and arrive in our office by the close of the nomination period, regardless of the postmark.

Am I required to file financial documents related to my campaign?

Yes, every candidate must file Form 501. Candidates raising/spending \$2,000 must also file other applicable finance disclosure forms such as 410, 460 and 497 at specified deadlines. Refer to the “Campaign Finance Disclosure Information” section of this guide for more information.

I am unable to complete and file any of my FPPC campaign disclosure statements by the filing deadline. May I obtain an extension and will I be fined?

No, there is no provision in the Political Reform Act that permits any filing officer to extend a filing deadline. Statements that are filed late are subject to a fine of \$10.00 per day until the statement is filed. You may be fined for filing your statements late.

Can I place campaign signs anywhere I want?

No, there are city, county and state regulations concerning placement of campaign signs. Please refer to the “Outdoor Political Advertising Guidelines” section of this guide.

How soon will a list of qualified candidates be available after the close of nomination?

The nomination period ends at 5:00 p.m. on March 11, 2016. A list of local candidates will be available for distribution by noon on March 21, 2016. You may come into the office and view the candidate list at no charge or purchase a copy of it.

Can I come into the Office of the Registrar of Voters on election night and view the tabulation of the votes?

Yes, you can come into our office on election night and view the entire process of the vote tabulation. All election night visitors must be escorted in our office so please call us ahead of time to inform us that you will be coming to our office. Calling ahead helps us plan our staffing needs.

Can I obtain election night results on the Internet?

Yes, you may obtain the most up-to-date election night results on our website at www.sccvote.org.

Why is there so much paperwork involved in being a candidate?

Election law specifies documents required, as well as format, filing dates, etc. The filing requirements are not discretionary.

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ATTENTION: Information provided by the Registrar of Voters' office in response to inquiries made by candidates is general in nature and is informational only. It is not to be used as a substitute for legal advice. Candidates are responsible for consulting their own legal counsel and verifying all information as it relates to their individual situation.