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California Ballot Initiative Process



prepared by

BILL JONES
Secretary of State

Revised 1997

PREFACE

The Secretary of State has prepared this brief summary of the statewide initiative procedure as required by Elections Code section 9015 to provide an understanding of the requirements for preparing and qualifying initiatives. This publication is for general information only and does not have the force and effect of law, regulation, or rule. In case of conflict, the law, regulation, or rule will apply. Interested persons should obtain the most up-to-date information available because of possible changes in law or procedure since the publication of this summary.

This booklet reflects the 1994 renumbering of sections of the California Elections Code. The numbers in parentheses refer to Election Code section authority for the preceding statement, except as otherwise noted.

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CALIFORNIA BALLOT INITIATIVES PROCEDURES and REQUIREMENTS for PREPARING and QUALIFYING A STATEWIDE INITIATIVE MEASURE

TABLE OF CONTENTS

	Page
Preface	i
I. Introduction	1
II. Preliminary Procedure	1
III. Petitions	2
IV. Circulation Dates	3
V. Petition Signatures	4
VI. Petition Circulators	4
VII. Filing Petitions	5
VIII. Verification of the Petition by Election Officials	5
IX. Approval	7
X. Political Reform Act of 1974	7
XI. Arguments	8
Summary of Important Points Regarding Deadlines	10
Initiative Schedule Guide	11
Exhibit A — Sample Petition Section	Centerfold

I. INTRODUCTION

The initiative is the power of the electors to propose statutes and amendments to the constitution. (Cal. Const. Art. II, §8(a)) Generally, any matter that is a proper subject of legislation can become an initiative; however, no initiative addressing more than one subject area may be submitted to the voters or have any effect. (Cal. Const. Art. II, §§8(d) and 12) Nothing prohibits a person from filing in good faith an initiative measure which conflicts with a measure already on file; however, no initiative petition may be filed with the intent to defeat the initiative measure embraced within the petition. (§18670)

An initiative is placed on the ballot after its proponent(s) has successfully met a series of deadlines which are described in this booklet. Some of the filing deadlines mentioned in this summary are not definite. However, upon receipt of an official summary from the Attorney General's office, the Secretary of State will prepare an individualized calendar of filing dates and deadlines for securing signatures for the qualification of the measure. The Secretary of State distributes this calendar to the proponents and to each of the 58 county elections officials so they may be aware of their responsibilities.

II. PRELIMINARY PROCEDURES

The first step in the process of qualifying an initiative is to write the text of the proposed law. The measure's proponents in many cases may obtain assistance from the Legislative Counsel in drafting the measure. To do so, the proponents must present the idea for the law to the Legislative Counsel, and the request for a draft of the proposed law must be signed by 25 or more electors. The Legislative Counsel will then draft the proposed law if it is determined that there is a reasonable probability the measure will eventually be submitted to the voters. (Government Code §10243)

The draft of the proposed measure must then be submitted to the Attorney General. (Cal. Const. Art. II, §10(d)) A written request for a title and summary of the proposed measure and \$200 must accompany the draft. (§§9002, 9004) The Attorney General prefers bank checks, money orders, cashier's checks, or cash rather than personal checks. The \$200 is placed in a trust fund in the office of the State Treasurer and is refunded if the measure qualifies for the ballot within two years after the summary has been prepared. If the initiative fails to qualify within that period the money is put into the general fund of the state. (§9004)

Upon receipt of the fee and request, the Attorney General prepares a title and summary which will be the official summary of the measure. (§9004) The Attorney General provides the Secretary of State with a copy of this title and summary within 15 days of the receipt of the final version of the measure. (§9004) If during the 15-day period, the proponent(s) of the proposed initiative measure submits amendments, other than technical, nonsubstantive amendments, to the final version of such measure, the Attorney General shall provide a copy of the title and summary to the Secretary of State within 15 days after receipt of such amendments. (§9004) If the Attorney General determines that the measure requires a fiscal analysis, the Department of Finance and the Joint Legislative Budget Committee are asked to prepare an analysis

within 25 working days from the date they receive the final version of the proposed initiative. The fiscal analysis includes either the estimate of the amount of any increase or decrease in revenues or costs to the state or local government, or an opinion as to whether or not a substantial net change in state or local finances would result, if the proposed initiative is adopted. If in the opinion of the Department of Finance and the Joint Legislative Budget Committee a reasonable estimate of the net impact of the proposed initiative cannot be prepared within the 25-day period, the Department of Finance and the Joint Legislative Budget Committee shall, within the 25-day period, give the Attorney General their opinion as to whether or not a substantial net change in state or local finances would result if the proposed initiative is adopted. The fiscal analysis is then included in the official summary. (§9005)

If a fiscal estimate is required, the Attorney General shall prepare the title and summary within 15 days after receipt of the estimate prepared by the Department of Finance and the Joint Legislative Budget Committee. (§9004)

When the official summary is complete, the Attorney General sends it to the proponent(s), the Senate, the Assembly, and the Secretary of State. The legislature may conduct public hearings on the proposed initiative, but cannot amend it. (§§336, 9007)

The "Official Summary Date" is the date the summary is sent to the proponent(s) by the Attorney General, and is the date the Secretary of State uses to calculate calendar deadlines provided to the proponent(s), county clerks, and registrars of voters. (§336)

III. PETITIONS

The law specifies the format for the petition. The petition may be circulated by many different people carrying separate, identical parts of the petition called "sections." It is important to follow the prescribed format because the county clerks and registrars of voters will not accept nonconforming petitions for filing. (§9012) Each section of the petition must contain the full title and text of the measure (§9014) and each page on which signatures are to appear must contain a copy of the Attorney General's summary in Roman boldface type not smaller than 12-point. (§9008)

The heading of each section of a proposed initiative petition shall be in substantially the following form:

Initiative Measure to be Submitted
Directly to the Voters

[This heading must be printed in 12-point or larger Roman boldface type. (§9008)]

The Attorney General of California has prepared the following title and summary of the chief purposes and points of the proposed measure:

[Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition, whereon signatures are to appear, in Roman boldface type not smaller than 12-point. (§9001)]

To the Honorable Secretary of State

We, the undersigned, registered, qualified voters of California, residents of _____ County (or City and County), hereby propose amendments to [(the Constitution of California) (the _____ Code, relating to _____)] and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to the general election or otherwise provided by law. The proposed constitutional (or statutory) amendments read as follows: (§9001)

[Full title and text of the measure]

Immediately preceding the portion of the petition where voters are to sign, a notice in 12-point type must appear containing this statement:

Notice To The Public

This petition may be circulated by a paid signature gatherer or a volunteer. You have the right to ask. (§101)

The petition must have room for the signature of each petition signer as well as his or her printed name, residence address, and community name. Signature spaces must be consecutively numbered commencing with the number 1 for each petition section. (§§100, 9020) A minimum one inch space shall be left at the top of each page and after each name for use by the county clerk or registrar of voters. (§9009) Pursuant to the Supreme Court's decision in *Assembly v. Deukmejian* (1982) 30 Cal.3d 638, 180 Cal.Rptr. 297, the petition form must direct signers to include their "residence address" rather than "address as registered" or other address. Noncomplying petition forms will be rejected as invalid. Additionally, each section of the petition must contain the name of the county (or city and county) in which it was circulated. Each section shall be circulated among voters of only one county (§9021) and may be circulated only by registered voters. (§102) See Exhibit A for a sample petition section.

IV. CIRCULATION DATES

No petition may be circulated prior to the official summary date. (§336) The completed and signed petition must be filed with the county clerk or registrar of voters not later than 150 days from the official summary date; no petition may be accepted for filing after that date. (§336) Each initiative will be placed on the next statewide general or special election ballot which occurs at least 131 days after the initiative qualifies. (§9013; Cal. Const. Art. II, §8(c))

V. PETITION SIGNATURES

Petitions supporting initiative *statutes* must be signed by registered voters whose numbers equal five (5) percent of the votes cast for all candidates for Governor at the last gubernatorial election preceding the issuance of the title and summary for the measure by the Attorney General. (Cal. Const. Art. II, §8(b); §9035) The total number of signatures required for initiative statutes which qualify for circulation before the November 1998 gubernatorial election will be 433,269.

Petitions supporting initiative *constitutional amendments* must be signed by registered voters whose numbers equal eight (8) percent of the votes cast for all candidates for Governor at the last gubernatorial election preceding the issuance of the title and summary for the measure by the Attorney General. (Cal. Const. Art. II, §8(b); §9035) The total number of signatures required for such petitions which qualify for circulation before the November 1998 gubernatorial election will be 693,230.

Only persons who are registered, qualified voters at the time of signing are entitled to sign the petition. (§§100, 9020) Since the petition circulators must be registered voters, they may, if otherwise qualified, sign the petitions they are circulating. (§§102, 106, 9021)

Each signer must *personally* place on the petition his or her signature, printed name, residence address (or physical description of the location if there is no street address), and the name of the incorporated city or unincorporated community. None of the above may be preprinted in the petition. (§9020) Each signer may sign an initiative petition only once. (§18612)

Any voter who has signed an initiative petition may withdraw his or her name by filing a written request for the withdrawal with the county clerk or registrar of voters of the county in which the voter is registered before the petition is filed by the proponents. (§9602)

VI. PETITION CIRCULATORS

Each petition circulator who obtains signatures must complete an attached declaration to the petition stating: (1) that he/she is a qualified registered voter; (2) that the circulator circulated that section and witnessed the appended signatures being written; (3) that to the best of his/her information and belief, each signature is the genuine signature of the person whose name it purports to be; (4) that the signatures on the petition were obtained between the dates specified in the declaration.

The declaration must also include the printed name and residence address of the circulator soliciting the signatures. The printed name of the circulator, his/her residence address, and the actual dates between which all the signatures to the petition section were obtained *must be set forth in the circulator's own handwriting*. (§§104, 9022) Preprinted dates, or generalized dates other than the particular range of dates during which the petition section was actually circulated, are not authorized. (*Assembly v. Deukmejian* (1982) 30 Cal.3d 638, 180 Cal.Rptr. 297) **Caution:** Do not preprint any of these.

The declaration must be signed under penalty of perjury. (§9022) It need not be sworn before a notary public or other officer authorized to administer oaths, but must include the circulator's signature and date and place of signing. (Code Civ. Proc. §2015.5)

EXHIBIT A — Continued

[A one inch blank space must be left at the top of each page of the petition.]

The Attorney General of California has prepared the following Title and Summary of the chief purposes and points of the proposed measure.

[**INSERT ATTORNEY GENERAL TITLE AND SUMMARY**]

NOTICE TO THE PUBLIC

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

This column for official use only

1.			
	PRINT YOUR NAME	RESIDENCE ADDRESS ONLY	
	YOUR SIGNATURE AS REGISTERED TO VOTE	CITY ZIP	
2.			
	PRINT YOUR NAME	RESIDENCE ADDRESS ONLY	
	YOUR SIGNATURE AS REGISTERED TO VOTE	CITY ZIP	
3.			
	PRINT YOUR NAME	RESIDENCE ADDRESS ONLY	
	YOUR SIGNATURE AS REGISTERED TO VOTE	CITY ZIP	
4.			
	PRINT YOUR NAME	RESIDENCE ADDRESS ONLY	
	YOUR SIGNATURE AS REGISTERED TO VOTE	CITY ZIP	
5.			
	PRINT YOUR NAME	RESIDENCE ADDRESS ONLY	
	YOUR SIGNATURE AS REGISTERED TO VOTE	CITY ZIP	

DECLARATION OF CIRCULATOR

(to be completed after above signatures have been obtained)

I, _____, am registered to vote in the County (or City and County) of _____.

(Print name)

My residence address is _____.

(Address, city, state, zip)

I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. All signatures on this document were obtained between the dates of _____ and _____.

(Month, day, year)

(Month, day, year)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, 19____ at _____.

(Month and day)

(Place of signing)

(Complete signature of circulator)

[Dates of circulation, printed name and residence address must be in circulator's own hand.]

[NOTE: It is recommended that a space approximately 1/2 inch wide be left along the left margin opposite the signatures, as shown for the clerks' use in verifying signatures.]

[A one inch blank space must be left at the top of each page of the petition.]

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following title and summary of the chief purposes and points of the proposed measure:

[INSERT ATTORNEY GENERAL TITLE AND SUMMARY]

To the Honorable Secretary of State of California:

We, the undersigned, registered, qualified voters of California, residents of _____ County (or City and County), hereby propose amendments to [(the Constitution of California) (the _____ Code, relating to _____)] and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to the general election or otherwise provided by law. The proposed [(constitutional) (statutory)] amendments read as follows:

[NOTE: Within each set of brackets in the text above, the proponent must select the information within one set of parentheses for printing on the petition.]

[Insert full title and text of measure]

Circulating petitions is prohibited within 100 feet of polling places on election day. (§18370(a))

The Elections Code imposes certain criminal penalties for abuses related to the circulation of initiative petitions. It prohibits circulators from misrepresenting the purpose or contents of the petition to potential petition signers, or intentionally making a false statement in response to a voter's inquiry as to whether the circulator is a paid signature gatherer or a volunteer (§18600) and from refusing to allow prospective signers to read the measure or petition or Attorney General's summary. (§§18601, 18602) No person may offer or give payment to another in exchange for signing an initiative petition. (§18603) The Code also makes circulators, signers, and others criminally liable for signing or soliciting to sign false, forged, fictitious or ineligible signatures and names. (§§18610-18614) The law provides criminal penalties for persons, including public officials, who make false affidavits (for example, the circulator's declaration is an affidavit), returns or certifications concerning any initiative. (§§18660, 18661)

The law prohibits any person from soliciting or obtaining money to aid in unlawfully stopping circulation of an initiative. (§§18620-18622) It also prohibits any person from stealing petitions and from threatening petition circulators or circulators' relatives with the intent to dissuade them from circulating the petition. (§§18630, 18631) Any person who is paid by the proponent to obtain signatures on any initiative petition is subject to severe penalties for refusing to surrender the petition to the proponent for filing. (§18640)

It should be noted that the petition or list of signatures may be used for no purpose other than the qualification of the initiative. This requirement prohibits using the names and addresses on petition sections for a mailing list for fundraising or other purposes. (§18650)

VII. FILING PETITIONS

Petitions may be submitted in sections (§9014), but all the sections submitted in a single county must be filed at the same time. *Once submitted, petitions may not be amended except by order of a court of competent jurisdiction.* (§9030) To prevent unauthorized petitions from circulating and unauthorized persons from filing petitions, only the proponents of an initiative measure, and persons authorized *in writing* by one or more of the proponents, may file initiative petitions. (§§9032, 18671) Any other petitions submitted will be disregarded by the clerk or registrar of voters.

Each section of the petition shall be filed with the clerk or registrar of voters of the county (or city and county) in which it was circulated. (§9030)

VIII. VERIFICATION OF THE PETITION BY ELECTION OFFICIALS

Within eight days (excluding weekends and holidays) after filing the petition, the clerk or registrar of voters determines the total number of signatures on the petition sections submitted in that county, and reports the total to the Secretary of State. (§9030)

If the Secretary of State discovers that the petitions submitted from throughout

the state lack 100 percent of the signatures required, the Secretary of State shall immediately notify the county clerks and registrars of voters and no further action is taken on the initiative. (§9030)

If upon receipt of notifications from the counties it is apparent that the total number of filed signatures is 100 percent or more of the total number needed to qualify the measure, the Secretary of State reports this fact to the county clerks and registrars of voters who then verify the validity of the signatures within 30 days (excluding Saturdays, Sundays, and holidays) after receipt of notice from the Secretary of State. A random sampling technique of verification is used by county clerks and registrars in checking petitions where more than 500 names have been signed on a petition received by that county. (§9030) If, for example, 87 percent of the signatures contained in the sample are found to be valid, then a similar percentage of the entire number of signatures are deemed to be valid.

Upon completion of signature verification, the county clerk or registrar of voters immediately certifies to the Secretary of State the number of valid signatures appearing on the petition in his or her county. (§9030) The Secretary of State adds together the signature count received from each county to determine a statewide total. If the total number of valid signatures is less than 95 percent of the number of signatures required to qualify the petition, the petition will be deemed unqualified without further verification and the Secretary of State so notifies the proponents, county clerks, and registrars of voters. If the number of valid signatures is greater than 110 percent of the required number, the petition is considered qualified without further verification. (§9030)

However, if the result of this process indicates that the number of valid signatures represents between 95 percent and 110 percent of the qualified voters required to qualify the measure for the ballot, the Secretary of State directs the county clerks and registrars of voters to examine every signature on the petition. (§9031) Clerks and registrars have 30 days, excluding Saturdays, Sundays, and holidays, after the receipt of notice from the Secretary of State to determine the total number of qualified signatures and transmit this information to the Secretary of State. (§9031)

The petition is deemed filed and qualified with the Secretary of State on the date the Secretary of State receives certificates from the county clerks or registrars of voters showing the petition has been signed by the requisite number of voters. (§9033)

The Secretary of State transmits a certificate to each county if the measure qualifies. If the measure fails to qualify, the Secretary of State must so notify the proponents and county officials. (§9033)

Upon the certification of the initiative measures for the ballot, the Secretary of State will then transmit copies of the measure, together with the ballot title as prepared by the Attorney General, to the State Senate and Assembly. Each house assigns the initiative measure to its appropriate committees which shall then hold joint public hearings on the subject of the measure, provided that no such hearing may be held within 30 days prior to the date of the election. The legislature has no authority to alter the initiative measure or prevent it from appearing on the ballot. (§9034)

The county clerks and registrars of voters must preserve the initiative petitions until eight months after the certification of the results of the election for which the

petition qualified or attempted to qualify for placement on the ballot. The petitions may then be destroyed unless legal action relating to the petitions is pending. (§17200)

Initiative petitions once filed with the county clerks and registrars of voters are not public records and are not open to the general public for inspection. (Government Code §6253.5) However, if the initiative petition is found to be insufficient, the proponents of the petition or their designated representatives may inspect the initiative petition. They may also inspect all memoranda prepared by the county clerk or registrar of voters in the examination of such petition indicating which registered voters have signed in order to determine which signatures were disqualified and the reasons therefor. If the proponents of a petition are permitted to examine the petition and memoranda, the examination must commence not later than 21 days after certification of insufficiency. (Government Code §6253.5)

IX. APPROVAL

An initiative measure approved by a majority vote takes effect the day after the election unless the measure provides otherwise. (Cal. Const. Art. II, §10(a)) If provisions of two or more measures approved at the same election conflict, those of the measures receiving the highest affirmative vote prevail. (Cal. Const. Art. II, §10(b))

The Legislature may amend or repeal an initiative statute by another statute that becomes effective only when approved by the electors unless the initiative statute permits amendment or repeal without voter approval. (Cal. Const. Art. II, §10(c))

X. POLITICAL REFORM ACT OF 1974 REQUIREMENTS FOR STATE MEASURE PROPONENTS AND BALLOT MEASURE COMMITTEES

Any person or combination of persons is considered to be a committee pursuant to Government Code Section 82013(a) if contributions totaling \$1,000 or more are received in a calendar year. These persons must file a Statement of Organization with the Secretary of State within 10 days of qualifying as a committee. (Government Code §84101(a))

Committees formed or existing primarily to support or oppose the qualification, passage, or defeat of a ballot measure and proponents of a state ballot measure who control a committee formed or existing primarily to support the qualification of a measure must file semi-annual, pre-election, and (if required) quarterly statements.

Semi-annual statements have closing dates of June 30 (due July 31) and December 31 (due January 31). (Government Code §84200(a))

Statements required for the first and third quarters of the calendar year cover the periods January 1 through March 31 (due April 30) and July 1 through September 30 (due October 31). These statements are not required during any semi-annual period in which the committee is already required to file pre-election statements pursuant to Subdivision (b) or (c) of Government Code §84200.5. (Government Code §84202.3)

Pre-election statements should be filed according to the schedules in Government Code §§84200.7 and 84200.8.

Quarterly statements are not required during any semi-annual period in which the measure is being voted upon. Following the election, such committees are only required to file semi-annual statements unless they make contributions or expenditures to qualify, support, or oppose other measures, in which case they would have an ongoing duty to file quarterly statements.

This is a brief summary of the filing requirements. More information can be obtained by reading "Information Manual D on Campaign Disclosure Provisions of the Political Reform Act," the most recent addendum thereto, the Political Reform Act of 1974 contained in Title 9 of the Government Code, or by contacting the Political Reform Division of the Secretary of State's Office and/or the Technical Assistance and Analysis Division of the Fair Political Practices Commission.

It should be noted that persons receiving money for promoting or opposing an initiative or any measure which has qualified for the ballot, must hold the money in trust and may only spend the money for the purpose for which it was entrusted to them as specified in Elections Code §18680, or face a possible fine or imprisonment.

Proposition 208 was passed by the voters at the November 5, 1996 General Election. Some of the provisions of that law affect the initiative process. The Fair Political Practices Commission is in the process of implementing Proposition 208 and issuing regulations. More information can be obtained from the Commission.

XI. ARGUMENTS

The law permits proponents of initiatives and other voters to submit arguments and rebuttal arguments for and against the initiative for inclusion in the ballot pamphlet prepared by the Secretary of State and distributed to all registered voters. (§§9060, 9069)

Proponents of an initiative who wish to submit arguments will be timely notified by the Secretary of State's office of the final date arguments will be accepted. If they submit no arguments by that time, arguments will be accepted up to 120 days before the election from other voters. The Secretary of State mails copies of arguments submitted in favor of an initiative to those opposed to it, and mails copies of arguments submitted opposing an initiative to proponents, since each side can write a rebuttal.

Arguments will not be accepted for publication unless accompanied by the name and address of the person or persons submitting them or, if submitted on behalf of an organization, the names and addresses of at least two of its principal officers. (§9065) The primary arguments must not exceed 500 words in length. (§9064) The rebuttal arguments must not exceed 250 words in length. (§9069) No more than three signatures will be accepted for publication. (§9068) When more than one set of arguments for or against an initiative proposed by voters is submitted, the proponents of the measure have priority in having their arguments selected by the Secretary of State for publication, followed in order by bona fide associations of citizens and individual voters. (§9067)

All arguments concerning measures filed pursuant to Division 5 of the Elections Code shall be accompanied by the following form statement, to be signed by each proponent and by each author, if different, of the argument:

The undersigned proponent(s) or author(s) of the _____
(primary/rebuttal)

argument _____ ballot proposition
(in favor of/against)

_____ at the _____
(name or number) (title of election)

election for the _____
(jurisdiction)

to be held on _____ hereby state that such argument is true
(date)

and correct to the best of _____ knowledge and belief.
(his/her/their)

Signed _____ Date _____

(§9600)

Authors of arguments submitted to the Secretary of State may withdraw their arguments at any time prior to and including the final date for filing arguments. (§9601)

At least 20 days before the state ballot pamphlet containing proposed measures and arguments is sent to the printer, the Secretary of State makes copies of it available for public examination. Any voter may bring a court action in Sacramento to require the ballot pamphlet to be amended, and obtain a court order for amendment when it is proven that the text is false, misleading, or in violation of law, and amending the pamphlet will not substantially interfere with the printing and distribution of the pamphlet. (Government Code §88006)

SUMMARY OF IMPORTANT POINTS REGARDING DEADLINES

CAUTION: In previous years some proponents have experienced problems in submitting initiative petitions by the statutory deadline to qualify the measure for a particular election. The proponent is encouraged to begin the process as early as possible to ensure that all deadlines are met. The following points, previously mentioned in this pamphlet, should be emphasized:

1. In addition to statutory deadlines, allowances must be made for transmittal of information since many of the time limitations begin when the proposed measure is *received* by the office and not when *sent*. For example, county elections officials have 30 working days from the date they *receive* notice from the Secretary of State to conduct the random sample of initiative petition signatures. Therefore, transmittal time could add several days to this procedure.
2. The Attorney General is allowed 15 days from the receipt of the final version of the measure in which to provide the Secretary of State a copy of the title and summary. If during the 15-day period the proponent submits amendments to the measure, other than technical, nonsubstantive amendments, the time is extended to again allow 15 days.
3. If the Attorney General determines that the measure requires a fiscal analysis, additional time is allowed. In addition to the 15 days, the Joint Legislative Budget Committee and the Department of Finance are allowed a total of 25 working days from the date of receipt of the final version of the proposed initiative in order to prepare a fiscal analysis. This 25-day period is not the maximum time period. If the Joint Legislative Budget Committee and the Department of Finance determine that the fiscal analysis cannot be prepared in the 25 days, additional time is allowed. The Attorney General is then allowed 15 days after receipt of the fiscal analysis prepared by the Joint Legislative Budget Committee and the Department of Finance in which to transmit a copy of the title and summary.
4. The completed and signed petition must be filed with the county clerk or registrar of voters not later than 150 days from the official summary date.
5. The proposed initiative measure must be verified to have qualified at least 131 days prior to the statewide election on which the proponent wishes the measure to be placed. If the proposed measure fails to qualify by the 131-day deadline, the measure, after qualifying, shall be placed on the next following statewide election ballot.

INITIATIVE SCHEDULE GUIDE

This initiative schedule can be grouped according to the functions and responsibilities of three entities: (1) the Attorney General, including the Department of Finance and Joint Legislative Budget Committee; (2) the Proponent; and (3) the Elections Officials, i.e., the Secretary of State and the county clerks and registrars of voters. The schedule shown below is intended to be used merely as a guide in preparing the proposed initiative measure for placement on a ballot.

1. Attorney General/Department of Finance-Joint Legislative Budget Committee

The Attorney General shall provide a title and summary for the proposed initiative measure. The Department of Finance and the Joint Legislative Budget Committee shall prepare a fiscal analysis if the Attorney General determines that the measure requires an analysis. The Attorney General shall provide the title and summary within 15 days after receipt of the final version of the measure, or if a fiscal analysis is to be included, within 15 days after receipt of the fiscal analysis. The Department of Finance and the Joint Legislative Budget Committee are allowed a total of 25 working days to prepare the analysis. Furthermore, if the proponent submits substantive changes to the measure it will extend the time for preparing the title and summary.

Approximate time estimated for Attorney General, Department of Finance and Joint Legislative Budget Committee: 2-1/2 months.

2. Proponent

The proponent is allowed a maximum of 150 days, or approximately five (5) months to circulate petitions. The proponent may shorten the circulation period in order to ensure that the proposed measure qualifies at least 131 days before the statewide election when it will be submitted to the voters.

Approximate time estimated for proponent: 5 months.

3. Secretary of State and County Clerks/Registrars of Voters

After the proponent has filed the proposed initiative petition with the county clerk or registrar of voters, the elections officials must, by statute, adhere to specific time limits when verifying the proposed initiative petition. The following guidelines will be presented in terms of days. Note that the Elections Code provides that the information must be *received* by a specified number of days. Therefore, the county clerks or registrars of voters should include time for transmitting the information.

Function	No. of Days
1. Proponent submits petition for initiative measure to county clerks or registrars of voters.	— — —
2. County clerks or registrars transmit signature totals to Secretary of State within 8 working days.	10 days
3. Secretary of State notifies county clerks or registrars of voters of total number of signatures and whether proponent obtained the required number of signatures and transmits random number list for signature verification.	9 days
4. If the proponent obtains the requisite number of signatures, county clerks or registrars report the results of the random sampling to Secretary of State within 30 days (excluding Saturdays, Sundays, and holidays) from receipt of notice from the Secretary of State.	40-50 days
5. If the Secretary of State determines the total number of signatures is between 95% and 110% of the requirement, Secretary of State orders 100% check of signatures.	10 days
6. County clerks and registrars of voters report results to Secretary of State within 30 days, excluding Saturdays, Sundays, holidays, from receipt of notice from the Secretary of State.	40-50 days

Approximate time estimated for Secretary of State and county clerks or registrars of voters: 4 to 4-1/2 months.

4. Total Time

The proposed initiative measure must qualify at least 131 days prior to the election.

The total approximate time estimated to place a statewide initiative measure on the ballot: 12 months.

