

**Senate Bill No. 213**

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Passed the Senate May 29, 2013

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*Secretary of the Senate*

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Passed the Assembly August 26, 2013

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_

*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Sections 102, 104, 6106, 6108, 6363, 6365, 6584, 6586, 6587, 6784, 6786, 6787, 8041, 8066, 8106, 8409, 8451, 9021, 9022, 9209, 9237, 9238, 9305, 9307, 10220, 10226, 11045, and 11046 of the Elections Code, relating to elections.

## LEGISLATIVE COUNSEL'S DIGEST

SB 213, Galgiani. Election petitions: circulators.

Existing law generally prohibits the circulation of initiative, referendum, and recall petitions and nominating papers by a person who is not a resident of the state.

This bill would remove this prohibition. The bill would make conforming changes to various provisions of existing law.

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

SECTION 1. Section 102 of the Elections Code is amended to read:

102. A person shall not circulate a state or local initiative, referendum, or recall petition or nominating paper unless the person is 18 years of age or older.

SEC. 2. Section 104 of the Elections Code is amended to read:

104. (a) Wherever any petition or paper is submitted to the elections official, each section of the petition or paper shall have attached to it a declaration signed by the circulator of the petition or paper, setting forth, in the circulator's own hand, the following:

- (1) The printed name of the circulator.
- (2) The residence address of the circulator, giving street and number, or if no street or number exists, adequate designation of residence so that the location may be readily ascertained.
- (3) The dates between which all the signatures to the petition or paper were obtained.

(b) Each declaration submitted pursuant to this section shall also set forth the following:

- (1) That the circulator circulated that section and witnessed the appended signatures being written.

(2) That according to the best information and belief of the circulator, each signature is the genuine signature of the person whose name it purports to be.

(3) That the circulator is 18 years of age or older.

(c) The circulator shall certify the content of the declaration as to its truth and correctness, under penalty of perjury under the laws of the State of California, with the signature of his or her name. The circulator shall state the date and the place of execution on the declaration immediately preceding his or her signature.

SEC. 3. Section 6106 of the Elections Code is amended to read:

6106. Each section shall be prepared with the lines for signatures numbered, and shall have attached the affidavit of the circulator who obtained signatures to it, which shall meet all of the requirements of Section 104. No other affidavit is required. The affidavit of any circulator shall be verified free of charge by any officer authorized to administer oaths.

SEC. 4. Section 6108 of the Elections Code is amended to read:

6108. The nomination paper for the presidential primary ballot shall be in substantially the following form:

SECTION OF NOMINATION PAPER SIGNED BY VOTER ON  
BEHALF OF A PRESIDENTIAL CANDIDATE OR  
UNCOMMITTED DELEGATE

Section \_\_\_\_\_ Page \_\_\_\_\_

County of \_\_\_\_\_, Nomination paper of a candidate or uncommitted delegation for the presidential primary ballot.

State of California            }  
County of \_\_\_\_\_        } ss.

SIGNER'S STATEMENT

I, the undersigned, am a voter of the County of \_\_\_\_\_, State of California, and am registered as affiliated with the Democratic Party. I hereby nominate \_\_\_\_\_ for the presidential primary to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. I have not signed the nomination paper of any other candidate or uncommitted delegation, and I further declare that I intend to support the candidate or uncommitted delegation named herein.

Number	Signature	Printed name	Residence
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
etc.	_____	_____	_____

CIRCULATOR’S AFFIDAVIT

I, \_\_\_\_\_, solemnly swear (or affirm) all of the following:

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is

\_\_\_\_\_.

[If no street or number exists, a designation of my residence adequate to readily ascertain its location is

\_\_\_\_\_.]

3. That I secured signatures in the County of \_\_\_\_\_ to the nomination paper of a candidate or uncommitted delegation for the presidential primary ballot named in the signer’s statement above; that all the signatures on this section of the nomination paper numbered from 1 to \_\_\_\_, inclusive, were made in my presence, and that to the best of my knowledge and belief each signature is the genuine signature of the person whose name it purports to be. The signatures were obtained between \_\_\_\_\_, 20\_\_\_\_, and \_\_\_\_\_, 20\_\_\_\_.

(Signed) \_\_\_\_\_  
Circulator

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_, 20\_\_\_\_.

(SEAL) \_\_\_\_\_  
Notary Public (or other official)

SEC. 5. Section 6363 of the Elections Code is amended to read:  
6363. Each section shall be prepared with the lines for signatures numbered, and shall have attached the affidavit of the

circulator who obtained signatures to it, which shall meet all of the requirements of Section 104. No other affidavit is required. The affidavit of any circulator shall be verified free of charge by any officer authorized to administer oaths.

SEC. 6. Section 6365 of the Elections Code is amended to read:

6365. The nomination paper for a candidate shall be in substantially the following form:

SECTION OF NOMINATION PAPER SIGNED BY VOTER ON BEHALF OF CANDIDATE

Section \_\_\_\_\_ Page \_\_\_\_\_

County of \_\_\_\_\_, Nomination paper for \_\_\_\_\_ as presidential nominee of the Republican Party.

State of California }  
County of \_\_\_\_\_ } ss.

SIGNER'S STATEMENT

I, the undersigned, am a voter of the County of \_\_\_\_\_, State of California, and am registered as intending to affiliate with the Republican Party. I have not signed the nomination paper of any other candidates for the same office, and further declare that I intend to support the nomination of the candidate named herein at the Republican Party presidential primary to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Number	Signature	Printed name	Residence
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
etc.	_____	_____	_____

CIRCULATOR'S AFFIDAVIT

I, \_\_\_\_\_, solemnly swear (or affirm) all of the following:

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is

\_\_\_\_\_.

[If no street or number exists, a designation of my residence adequate to readily ascertain its location is

\_\_\_\_\_.]

3. That I secured signatures in the County of \_\_\_\_\_ to the nomination paper of the candidate named in the signer’s statement above as candidate for nomination by the Republican Party at its presidential primary election; that all the signatures on this section of the nomination paper numbered from 1 to \_\_\_\_\_, inclusive, were made in my presence, that the signatures were obtained between \_\_\_\_\_, 20\_\_, and \_\_\_\_\_, 20\_\_, and that to the best of my knowledge and belief each signature is the genuine signature of the person whose name it purports to be.

(Signed) \_\_\_\_\_  
Circulator

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

(SEAL) \_\_\_\_\_  
Notary Public (or other official)

SEC. 7. Section 6584 of the Elections Code is amended to read:  
6584. Each section shall be prepared with the lines for signatures numbered, and shall have attached the affidavit of the circulator who obtained signatures to it, which shall meet all of the requirements of Section 104. No other affidavit is required.

SEC. 8. Section 6586 of the Elections Code is amended to read:  
6586. The nomination paper for a candidate for the presidential preference portion of the ballot shall be in substantially the following form:

SECTION OF NOMINATION PAPER SIGNED BY VOTER ON  
BEHALF OF PRESIDENTIAL PREFERENCE PRIMARY  
CANDIDATE

Section \_\_\_\_\_ Page \_\_\_\_\_

County of \_\_\_\_\_. Nomination paper of a presidential preference candidate for the American Independent Party presidential primary ballot.

State of California }  
County of \_\_\_\_\_ } ss.

SIGNER'S STATEMENT

I, the undersigned, am a voter of the County of \_\_\_\_\_, State of California, and am registered as intending to affiliate with the American Independent Party. I hereby nominate \_\_\_\_\_ for the presidential preference portion of the American Independent Party's presidential primary ballot, to be voted for at the presidential primary to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. I have not signed the nomination paper of any other candidate for the same office, or for any group of delegates, to the national convention of the party, and I further declare that I intend to support the candidate named herein.

Number	Signature	Printed name	Residence
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
etc.	_____	_____	_____

CIRCULATOR'S AFFIDAVIT

- I, \_\_\_\_\_, solemnly swear (or affirm) all of the following:
1. That I am 18 years of age or older.
  2. That my residence address, including street and number, is

\_\_\_\_\_.

[If no street or number exists, a designation of my residence adequate to readily ascertain its location is

\_\_\_\_\_.]

3. That I secured signatures in the County of \_\_\_\_\_ to the nomination paper of a candidate in the presidential preference primary of the American Independent Party; that all the signatures on this section of the nomination paper numbered from 1 to \_\_\_\_\_, inclusive, were made in my presence, that the signatures were obtained between \_\_\_\_\_, 20\_, and \_\_\_\_\_, 20\_, and that to the best of my knowledge and belief each signature is the genuine signature of the person whose name it purports to be.

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

(Signed) \_\_\_\_\_  
Circulator

SEC. 9. Section 6587 of the Elections Code is amended to read:  
6587. The nomination paper for a group of candidates for delegates, to the national convention shall be in substantially the following form:

SECTION OF NOMINATION PAPER SIGNED BY VOTER ON  
BEHALF OF GROUP OF CANDIDATES FOR DELEGATES  
TO NATIONAL CONVENTION

Section \_\_\_\_\_ Page \_\_\_\_\_

County of \_\_\_\_\_. Nomination paper of group of candidates for election as delegates by the American Independent Party pledged to the candidacy of \_\_\_\_\_ as presidential nominee or expressing no preference, as the case may be.

State of California }  
County of \_\_\_\_\_ } ss.

SIGNER'S STATEMENT

I, the undersigned, am a voter of the County of \_\_\_\_\_, State of California, and am registered as intending to affiliate with the American Independent Party. I hereby nominate the following:

\_\_\_\_\_  
Residence  
city

Number	Names	or town	County
1.	_____		
2.	_____		
3.	_____		
etc.	_____		

(to such number as may be required) etc., as candidates for delegates to the American Independent Party's National Convention, to be voted for at the presidential primary to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_. I have not signed the nomination paper of any other candidates for the same office, or of any candidate for the presidential preference portion of the primary ballot, and I further declare that I intend to support for nomination the candidates named herein.

Number	Signature	Printed name	Residence
1.	_____		
2.	_____		
3.	_____		
etc.	_____		

CIRCULATOR'S AFFIDAVIT

I, \_\_\_\_\_, solemnly swear (or affirm) all of the following:

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is

\_\_\_\_\_.

[If no street or number exists, a designation of my residence adequate to readily ascertain its location is

\_\_\_\_\_. ]

3. That I secured signatures in the County of \_\_\_\_ to the nomination paper of the group of candidates named in the signer's statement above as candidates for nomination and election by the American Independent Party as delegates to represent the State of California in the party's next national convention; that all the signatures on this section of the nomination paper numbered from 1 to \_\_\_\_, inclusive, were made in my presence, that the signatures were obtained between \_\_\_\_, 20\_\_, and \_\_\_\_, 20\_\_, and that to the best of my knowledge and

belief each signature is the genuine signature of the person whose name it purports to be.

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

(Signed) \_\_\_\_\_  
Circulator

SEC. 10. Section 6784 of the Elections Code is amended to read:

6784. Each section shall be prepared with the lines, for signatures numbered, and shall have attached the declaration of the circulator who obtained signatures to it, which shall meet all of the requirements of Section 104. No other declaration is required to be made.

SEC. 11. Section 6786 of the Elections Code is amended to read:

6786. The nomination paper for a candidate for the presidential preference portion of the ballot shall be in substantially the following form:

SECTION OF NOMINATION PAPER SIGNED BY VOTER  
ON BEHALF OF PRESIDENTIAL PREFERENCE  
PRIMARY CANDIDATE

Section \_\_\_\_\_ Page \_\_\_\_\_  
County of \_\_\_\_\_.

Nomination paper of a presidential preference candidate for the Peace and Freedom Party presidential primary ballot.

State of California        }  
County of \_\_\_\_\_    } ss.

SIGNER'S STATEMENT

I, the undersigned, am a voter of the County of \_\_\_\_\_, State of California, and am registered as affiliated with the Peace and Freedom Party. I hereby nominate \_\_\_\_\_ for the presidential preference portion of the Peace and Freedom Party's presidential primary ballot, to be voted for at the presidential primary to be held on the \_\_\_\_\_ day of June, 20\_\_\_. I have not signed the

nomination paper of any other candidate for the same office, or for any group of delegates to the national convention of the \_\_\_\_\_ Party, with which the Peace and Freedom Party of California is affiliated on the national level.

\_\_\_\_\_  
\_\_\_\_\_

Number	Signature	Printed name	Residence street address /city
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
etc.	_____	_____	_____

CIRCULATOR’S AFFIDAVIT

I, \_\_\_\_\_, affirm all of the following:

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is

\_\_\_\_\_.

[If no street or number exists, a designation of my residence adequate to readily ascertain its location is

\_\_\_\_\_. ]

3. That I secured signatures in the County of \_\_\_\_ to the nomination paper of a candidate in the presidential preference primary of the Peace and Freedom Party, that all the signatures on this section of the nomination paper numbered from 1 to \_\_\_\_, inclusive, were made in my presence, that the signatures were obtained between \_\_\_\_, 20\_, and \_\_\_\_, 20\_, and that to the best of my knowledge and belief each signature is the genuine signature of the person whose name it purports to be.

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

Executed at \_\_\_\_, California, this \_\_\_\_ day of \_\_\_\_, 20\_.

(Signed) \_\_\_\_\_  
Circulator  
(Printed name) \_\_\_\_\_

SEC. 12. Section 6787 of the Elections Code is amended to read:

6787. The nomination paper for a group of candidates for delegates to the national convention shall be in substantially the following form:

SECTION OF NOMINATION PAPER SIGNED BY VOTER ON  
BEHALF OF GROUP OF CANDIDATES FOR DELEGATES  
TO NATIONAL CONVENTION

Section \_\_\_\_\_ Page \_\_\_\_\_  
County of \_\_\_\_\_.

Nomination paper of group of candidates for election as delegates by the Peace and Freedom Party pledged to the candidacy of \_\_\_\_\_ as presidential nominee, or expressing no preference, as the case may be.

State of California }  
County of \_\_\_\_\_ } ss.

SIGNER'S STATEMENT

I, the undersigned, am a voter of the County of \_\_\_\_\_, State of California, and am registered as affiliated with the Peace and Freedom Party. I hereby nominate the following:

\_\_\_\_\_  
\_\_\_\_\_

Number	Names	Residence city or town	County
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
etc.	_____	_____	_____

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(to the number as may be required) as candidates for delegate to the national convention of the \_\_\_\_\_ Party, with which the Peace and Freedom Party of California is affiliated on the national level, to be voted for at the presidential primary to be held on the \_\_\_\_\_ day of June, 20\_\_\_\_. I have not signed the nomination paper of any other group of candidates for delegates to the national convention or of any candidate for the presidential preference portion of the primary ballot.

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Number	Signature	Printed name	Residence street address /city
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
etc.	_____	_____	_____

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CIRCULATOR’S AFFIDAVIT

I, \_\_\_\_\_, affirm all of the following:

1. That I am 18 years of age or older.
  2. That my residence address, including street and number, is
- 

[If no street or number exists, a designation of my residence adequate to readily ascertain its location is

\_\_\_\_\_.]

3. That I secured signatures in the County of \_\_\_\_\_ to the nomination paper of the group of candidates named in the signer’s statement above as candidates for nomination and election by the Peace and Freedom Party as delegates to represent the Peace and Freedom Party of California in the \_\_\_\_\_ Party’s next

national convention, that all the signatures on this section of the nomination paper numbered from 1 to \_\_\_\_\_, inclusive, were made in my presence, that the signatures were obtained between \_\_\_\_\_, 20\_\_\_\_, and \_\_\_\_\_, 20\_\_\_\_, and that to the best of my knowledge and belief each signature is the genuine signature of the person whose name it purports to be.

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

Executed at \_\_\_\_\_, California, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Signed) \_\_\_\_\_  
Circulator

(Printed name) \_\_\_\_\_

SEC. 13. Section 8041 of the Elections Code is amended to read:

8041. (a) The nomination paper shall be in substantially the following form:

NOMINATION PAPER

I, the undersigned signer for \_\_\_\_\_ for nomination to the office of \_\_\_\_\_, to be voted for at the primary election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, hereby assert as follows:

I am a resident of \_\_\_\_\_ County and registered to vote at the address shown on this paper. I am not at this time a signer of any other nomination paper of any other candidate for the above-named office, or in case there are several places to be filled in the above-named office, I have not signed more nomination papers than there are places to be filled in the above-named office. My residence is correctly set forth after my signature hereto:

Name \_\_\_\_\_

Residence \_\_\_\_\_

(b) The affidavit of the circulator shall read as follows:

AFFIDAVIT OF THE CIRCULATOR

I, \_\_\_\_\_, solemnly swear (or affirm) all of the following:

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is

\_\_\_\_\_.

[If no street or number exists, a designation of my residence adequate to readily ascertain its location is

\_\_\_\_\_. ]

3. That the signatures on this section of the nomination paper were obtained between \_\_\_\_, 20\_\_, and \_\_\_\_, 20\_\_; that I circulated the petition and I witnessed the signatures on this section of the nomination paper being written; and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

Signed \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(SEAL) \_\_\_\_\_

Notary Public (or other official)

Examined and certified by me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

Elections Official

WARNING: Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any nomination paper in his or her possession which is entitled to be filed under Section 18202 of the Elections Code.

(c) If the nomination paper is for a partisan office, the nomination paper shall include a statement indicating the party preference of the signer of the nomination paper.

SEC. 14. Section 8066 of the Elections Code is amended to read:

8066. Circulators shall meet the requirements of Section 102.

SEC. 15. Section 8106 of the Elections Code is amended to read:

8106. (a) Notwithstanding any other provision of this article, a candidate may submit a petition containing signatures of registered voters in lieu of a filing fee as follows:

(1) For the office of California State Assembly, 1,500 signatures.  
(2) For the office of California State Senate and the United States House of Representatives, 3,000 signatures.

(3) For candidates running for statewide office, 10,000 signatures.

(4) For all other offices for which a filing fee is required, if the number of registered voters in the district in which he or she seeks nomination is 2,000 or more, a candidate may submit a petition containing four signatures of registered voters for each dollar of the filing fee, or 10 percent of the total of registered voters in the district in which he or she seeks nomination, whichever is less.

(5) For all other offices for which a filing fee is required, if the number of registered voters in the district in which he or she seeks nomination is less than 2,000, a candidate may submit a petition containing four signatures of registered voters for each dollar of the filing fee, or 20 percent of the total of registered voters in the district in which he or she seeks nomination, whichever is less.

(6) A voter may sign both a candidate's nomination papers and his or her in-lieu-filing-fee petition. However, if signatures appearing on the documents are counted towards both the nomination paper and the in-lieu-filing-fee petition signature requirements, a person may only sign one of the documents.

(b) The Secretary of State or an elections official shall furnish to each candidate, upon request, and without charge therefor, forms for securing signatures. The number of forms which the elections official shall furnish a candidate shall be a quantity that provides the candidates with spaces for signatures sufficient in number to equal the number of signatures that the candidate is required to secure pursuant to subdivision (a) if the candidate desires that number of forms. However, the elections official, rather than provide the candidate with the number of forms set forth in the preceding sentence, or upon the request of a candidate, may provide the candidate with a master form that may be duplicated by the candidate at the candidate's expense for the purpose of circulating additional petitions. The Secretary of State shall provide the master form. The elections official may provide candidates a form other than the master form provided by the Secretary of State. However, that form shall meet all statutory requirements, and the elections official shall also make available and accept the master form provided by the Secretary of State. All forms shall be made

available commencing 45 days before the first day for circulating nomination papers. However, in cases of vacancies for which a special election is authorized or required to be held to fill the vacancy, and where the prescribed nomination period would commence less than 45 days after the creation of the vacancy, the forms shall be made available within five working days after the creation of the vacancy. No other form except the form furnished by the Secretary of State or the elections official or forms duplicated from a master form shall be used to secure signatures. Each petition section shall bear an affidavit signed by the circulator, in substantially the same form as set forth in Section 8041. The substitution of signatures for fees shall be subject to the following provisions:

(1) Any registered voter may sign an in-lieu-filing-fee petition for any candidate for whom he or she is eligible to vote.

(2) If a voter signs more candidates' petitions than there are offices to be filled, the voter's signatures shall be valid only on those petitions which, taken in the order they were filed, do not exceed the number of offices to be filled.

(3) In-lieu-filing-fee petitions shall be filed at least 15 days prior to the close of the nomination period. Upon receipt of the minimum number of in-lieu-filing-fee signatures required, or a sufficient combination of signatures and pro rata filing fee, the elections official shall issue nomination papers provisionally. Within 10 days after receipt of a petition, the elections official shall notify the candidate of any deficiency. The candidate shall then, prior to the close of the nomination period, either submit a supplemental petition, or pay a pro rata portion of the filing fee to cover the deficiency.

(4) If the petition is circulated for an office in more than one county, the candidate shall submit the signatures to the elections official in the county in which the petition was circulated. The elections official shall, at least two days after verifying the signatures on the petition, notify the Secretary of State of the total number of valid signatures. If the number of signatures is insufficient, the Secretary of State shall notify the candidate and the elections officials of the fact. The candidate may submit the necessary number of valid signatures at any time prior to the close of the period for circulating nomination papers. Each circulator shall meet the requirements of Section 102.

(5) Each candidate may submit a greater number of signatures to allow for subsequent losses due to invalidity of some signatures. The elections official shall not be required to determine the validity of a greater number of signatures than that required by this section.

(c) For the purposes of this section, the requisite number of signatures shall be computed from the latest registration figures forwarded to the Secretary of State pursuant to Section 2187 prior to the first day on which petitions are available.

(d) All valid signatures obtained pursuant to this section shall be counted toward the number of voters required to sign a nomination paper in accordance with Section 8061 or 8405.

SEC. 16. Section 8409 of the Elections Code is amended to read:

8409. Each candidate or group of candidates shall submit a nomination paper that shall be substantially in the following form:

County of \_\_\_\_\_. Nomination paper of \_\_\_\_\_, candidate for the office of \_\_\_\_\_.

State of California }  
County of \_\_\_\_\_ } ss.

SIGNER’S STATEMENT

I, undersigned, am a voter of the County of \_\_\_\_\_, State of California. I hereby nominate \_\_\_\_\_, who resides at No. \_\_\_\_\_, \_\_\_\_\_ Street, City of \_\_\_\_\_, County of \_\_\_\_\_, State of California, as a candidate for the office of \_\_\_\_\_ to be voted for at the election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. I have not signed the nomination paper of any other candidate for the same office.

\_\_\_\_\_  
\_\_\_\_\_

Number	Signature	Printed Name	Residence
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

5. \_\_\_\_\_  
etc. \_\_\_\_\_

CIRCULATOR'S AFFIDAVIT

I, \_\_\_\_\_, solemnly swear (or affirm) all of the following:

- 1. That I am 18 years of age or older.
- 2. That my residence address, including street and number, is

\_\_\_\_\_.

[If no street or number exists, a designation of my residence adequate to readily ascertain its location is

\_\_\_\_\_.]

3. That I secured signatures in the County of \_\_\_\_\_ to the nomination paper of \_\_\_\_\_ as candidate for the office of \_\_\_\_\_; that the signatures were obtained between \_\_\_\_\_, 20\_\_, and \_\_\_\_\_, 20\_\_; that I saw all the signatures on this section of the nomination paper being signed and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

(Signed) \_\_\_\_\_  
Circulator

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(SEAL) \_\_\_\_\_  
Notary Public (or other official)

SEC. 17. Section 8451 of the Elections Code is amended to read:

8451. Circulators shall meet the requirements of Section 102.

SEC. 18. Section 9021 of the Elections Code is amended to read:

9021. (a) A person who meets the requirements of Section 102 may circulate a statewide initiative or referendum petition anywhere within the state. Each section of the petition shall bear the name of a county or city and county, and only qualified

registered voters of that county or city and county may sign that section.

(b) The circulator may sign the section he or she is circulating as provided in Section 106.

SEC. 19. Section 9022 of the Elections Code is amended to read:

9022. (a) Each section shall have attached thereto the declaration of the person soliciting the signatures setting forth the information required by Section 104.

(b) The circulator shall certify to the content of the declaration as to its truth and correctness, under penalty of perjury under the laws of the State of California, with the signature of his or her name. The circulator shall state the date and the place of execution on the declaration immediately preceding his or her signature.

(c) Another declaration shall not be required.

(d) Petitions so verified shall be prima facie evidence that the signatures are genuine and that the persons signing are qualified voters. Unless and until otherwise proven upon official investigation, it shall be presumed that the petition presented contains the signatures of the requisite number of qualified voters.

SEC. 20. Section 9209 of the Elections Code is amended to read:

9209. Each section shall have attached thereto the declaration of the person soliciting the signatures. This declaration shall be substantially in the same form as set forth in Section 9022.

SEC. 21. Section 9237 of the Elections Code is amended to read:

9237. If a petition protesting the adoption of an ordinance, and circulated by a person who meets the requirements of Section 102, is submitted to the elections official of the legislative body of the city in his or her office during normal office hours, as posted, within 30 days of the date the adopted ordinance is attested by the city clerk or secretary to the legislative body, and is signed by not less than 10 percent of the voters of the city according to the county elections official's last official report of registration to the Secretary of State, or, in a city with 1,000 or less registered voters, is signed by not less than 25 percent of the voters or 100 voters of the city, whichever is the lesser, the effective date of the ordinance shall be suspended and the legislative body shall reconsider the ordinance.

SEC. 22. Section 9238 of the Elections Code is amended to read:

9238. (a) Across the top of each page of the referendum petition there shall be printed the following:

“Referendum Against an Ordinance Passed by the City Council”

(b) Each section of the referendum petition shall contain (1) the identifying number or title, and (2) the text of the ordinance or the portion of the ordinance that is the subject of the referendum.

The petition sections shall be designed in the same form as specified in Section 9020.

(c) Each section shall have attached thereto the declaration of the person soliciting the signatures. This declaration shall be substantially in the same form as set forth in Section 9022.

SEC. 23. Section 9305 of the Elections Code is amended to read:

9305. After filing a copy of the notice of intention, statement of the reasons for the proposed petition, written text of the initiative, and affidavit of publication or posting with the district elections official pursuant to Section 9304, the petition may be circulated among the voters of the district for signatures by any person who meets the requirements of Section 102. Each section of the petition shall bear a copy of the notice of intention and statement.

SEC. 24. Section 9307 of the Elections Code is amended to read:

9307. Each section of the petition shall have attached thereto the affidavit of the person soliciting the signatures. This affidavit shall be substantially in the same form as set forth in Section 9022.

SEC. 25. Section 10220 of the Elections Code is amended to read:

10220. Candidates may be nominated for any of the elective offices of the city in the following manner:

Not earlier than the 113th day nor later than the 88th day before a municipal election during normal office hours, as posted, the voters may nominate candidates for election by signing a nomination paper. Each candidate shall be proposed by not less than 20 nor more than 30 voters in a city of 1,000 registered voters or more, and not less than five nor more than 10 voters in a city

of less than 1,000 registered voters, but only one candidate may be named in any one nomination paper. No voter may sign more than one nomination paper for the same office, and in the event the voter does so, that voter’s signature shall count only on the first nomination paper filed which contains the voter’s signature. Nomination papers subsequently filed and containing that voter’s signature shall be considered as though that signature does not appear thereon. Each seat on the governing body is a separate office. Any person who meets the requirements of Section 102 may circulate a nomination paper. Only one person may circulate each nomination paper. Where there are full terms and short terms to be filled, the term shall be specified in the nomination paper.

SEC. 26. Section 10226 of the Elections Code is amended to read:

10226. The nomination papers and affidavits shall be substantially in the following form:

“NOMINATION PAPER

We, the undersigned voters of the \_\_\_\_ of \_\_\_\_ hereby nominate \_\_\_\_ for the office of \_\_\_\_ of the city:

Name	Residence
_____	_____
_____	_____
_____	_____

AFFIDAVIT OF THE CIRCULATOR

State of California            }  
 County of \_\_\_\_\_        } ss.

- I, \_\_\_\_\_, solemnly swear (or affirm) all of the following:
1. That I am 18 years of age or older.
  2. That my residence address, including street and number, is

\_\_\_\_\_.

[If no street or number exists, a designation of my residence adequate to readily ascertain its location is

\_\_\_\_\_.]

3. That the signatures on this nomination paper were obtained between \_\_\_\_\_, 2\_\_, and \_\_\_\_\_, 2\_\_; that I circulated this petition and I saw the signatures on this section of the nomination papers being written; and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

\_\_\_\_\_  
 (Signature)

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

Executed by me at \_\_\_\_\_, on \_\_\_\_\_, 2\_\_.

AFFIDAVIT OF THE NOMINEE

State of California            }  
 County of \_\_\_\_\_        } ss.

\_\_\_\_\_ being duly sworn, says that he or she is the above-named nominee for the office of \_\_\_\_\_, that he or she will accept the office in the event of his or her election, that he or she desires his or her name to appear on the ballot as follows:

\_\_\_\_\_  
 (Print name above),

and that he or she desires the following designation to appear on the ballot under his or her name:

\_\_\_\_\_  
 (Print desired designation above),

and that his or her residence address is \_\_\_\_\_.  
 (Print residence address as provided by affiant)

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

Executed by me at \_\_\_\_\_, on \_\_\_\_\_, 2\_\_.”

SEC. 27. Section 11045 of the Elections Code is amended to read:

11045. Only registered voters of the electoral jurisdiction of the officer sought to be recalled are qualified to sign a recall

petition for that officer. A person who meets the requirements of Section 102 may circulate the petition.

SEC. 28. Section 11046 of the Elections Code is amended to read:

11046. To each section of a petition shall be attached a declaration, signed by the circulator thereof, that complies with Section 104.















Approved \_\_\_\_\_, 2013

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*Governor*