



# INITIATIVE AND REFERENDUM GUIDE



## 2025

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## **DISCLAIMER**

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This reference guide has been prepared as an effort to address frequently asked questions. It is intended to provide general information only and is not rendering legal advice. This guide does not have the force and effect of law and is not a substitute for legal counsel. If there is a conflict, the law shall take precedence.

Before initiating any efforts related to a particular topic within this guide, it is the public's responsibility to obtain the most current and accurate information that may be available on a topic.

\*For information on city initiatives and referenda, please contact the appropriate City Clerk.

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## Definitions of Terms Used in this Guide

**Initiative:** The power of the electors to propose a new ordinance. To place an initiative on the ballot, the circulating committee shall submit a minimum required number of valid signatures to the Registrar of Voters' Office.  
*California Constitution Article II, § 8*

**Referendum:** The power of the electors to reject or overturn an ordinance passed by the Board of Supervisors before it takes effect. A referendum petition with the minimum required number of valid signatures shall be filed within 30 days (in most cases) after the Board of Supervisors' adoption of the ordinance. The ordinance is suspended from becoming effective pending the outcome of the election.  
*California Constitution Article II, § 9*

**Recall:** The power of the electors to remove an elective official. If a petition with the required number of valid signatures is filed, the official may either resign or run for retention at a special election.  
*California Constitution Article II, § 13*

**Ordinance:** A law or regulation passed by a local government body, such as a city council or the county's Board of Supervisors. An ordinance may also result from a successful initiative.

**Measure:** A ballot item – it is a general term for a proposed law, ordinance, tax, or amendment presented to voters for approval or rejection. It can originate from an initiative or a referendum.

## General Information

The petition process allows voters to propose ordinances, charter amendments, referenda, and the recall of County officials. A successful petition can place the issue in question before voters. The rules governing petition processes are outlined in the California Elections Code, California Government Code, and applicable local procedures for the County of San Joaquin.

**Note:** San Joaquin County is a general law county, meaning it does not have its own charter and instead operates under the laws of the State of California. Therefore, the procedures for charter amendment initiatives under Elections Code §§ 9255–9269 and Government Code §§ 34450–34462 are not applicable in this jurisdiction. However, voters of the county may establish a county charter via an initiative petition pursuant to Elections Code § 9102.

- **Who Are the Proponents of a Petition?**  
Proponents are generally a committee of five registered voters of the County of San Joaquin whose names are required to appear on the petition.
- **Who May Sign a Petition?**  
Any registered voter of the County of San Joaquin may sign a petition. For recalls or local measures, a voter registered within the applicable jurisdiction or district.
- **How are Petition Signatures Verified?**  
Signatures are verified against official voter registration records maintained by the San Joaquin County Registrar of Voters. Verification may be done through a full signature check or a random sampling method, depending on the petition type and number of signatures submitted.

**Note:** All references of days in this guide refer to *calendar* days unless otherwise stated. All cited sections of code (§) refer to California Elections Code unless otherwise stated. All instances of "Board of Supervisors" refer to the San Joaquin Board of Supervisors.

# Types of Petitions

## County Ordinance Initiative Petition

- **Purpose:** Allows proponents to file a petition requesting the adoption of an ordinance by the San Joaquin County Board of Supervisors.
- **Process:** Proponents shall file the petition with the Registrar of Voters. If the Board of Supervisors does not adopt the ordinance, it must submit the ordinance to the voters at an election.
- **Signature Requirement:** 10% of the total votes cast in the county for all candidates for Governor at the last gubernatorial election. (§§ 9107, 9118)
- **Circulation Period:** 180 days from the date the official summary is issued. (§ 9110)

## Charter Amendment Initiative Petition

- **Purpose:** Allows proponents to submit proposals to amend an existing county charter.

**Note:** San Joaquin County is a general law county, meaning it does not have its own charter but operates under the laws of the State of California. Therefore, the procedures for charter amendment initiatives under §§ 9255–9269 and Government Code §§ 34450–34462 are not applicable in this jurisdiction. However, voters of the county may propose the establishment of a county charter via an initiative petition pursuant to § 9102.

## Referendum Petition (County Ordinance or Revenue Bond)

- **Purpose:** Allows proponents to require that a county ordinance - already adopted by the Board of Supervisors - be submitted to the voters of San Joaquin County before it takes effect.
- **Process:** There are no requirements to file notices, publish intent or get input from election/government officials. Petition must be filed within 30 days of the ordinance's adoption by the Board of Supervisors, and before it takes effect.
- **Signature Requirements:** For a general referendum: at least 10% of the total votes cast within the county for all candidates for Governor at the last gubernatorial election. (§ 9144)
- For a referendum against a county revenue bonds petition: at least 10% of the total votes cast within the county for all candidates for Governor at the last gubernatorial election is less than 500,000. If more than 500,000 votes were cast, then at least 5%. (§ 9142)
- **Circulation Period:** Petitions must be filed with the Registrar of Voters within 30 days of the Board of Supervisors' adoption of the ordinance (§ 9141), or within 60 days for a referendum against a county revenue bonds petition. (§ 9142(a))

## Recall Petition

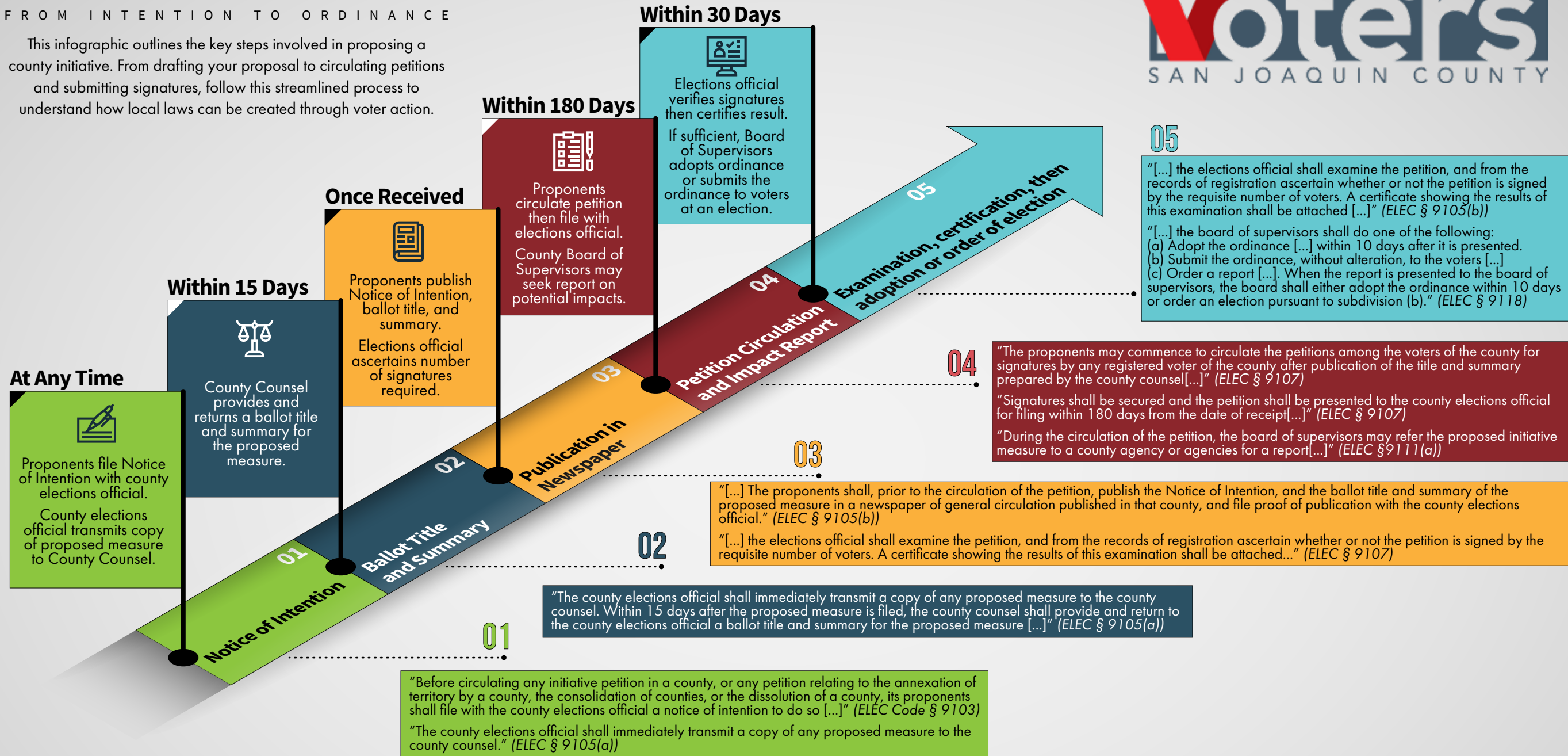
*(Please refer to the Recall Guide for in-depth information)*

- **Purpose:** Allows proponents to seek the removal of certain elected County officials.
- **Process:** Proponents file a notice of intention to circulate recall petition, after approval proponents circulate and collect signatures. If enough valid signatures are collected, the recall question and successor candidates appear on the ballot.
- **Signature Requirements:** 10% to 30% of registered voters in the official's jurisdiction, depending on population size. (§ 11221)
- **Circulation Period:** 40 to 160 days from approval of the petition format by the Registrar of Voters, dependent on the number of registered voters in the official's jurisdiction. (§ 11220)

# COUNTY INITIATIVES

## FROM INTENTION TO ORDINANCE

This infographic outlines the key steps involved in proposing a county initiative. From drafting your proposal to circulating petitions and submitting signatures, follow this streamlined process to understand how local laws can be created through voter action.



### 01 No more than 15 days 02 Until Notice is Published 03 No more than 180 days 04 No more than 30 days 05

At any time, proponents must file a Notice of Intention with county elections official.

The county elections official shall immediately transmit a copy of any proposed measure to County Counsel, who shall provide and return to the county elections official a ballot title and summary for the proposed measure.

Within 15 days after the proposed measure is filed, the county counsel shall provide and return to the county elections official a ballot title and summary for the proposed measure.

The county elections official must furnish a copy of the ballot title and summary to the proponents of the proposed measure.

The proponents must publish the Notice of Intention and the ballot title and summary of the proposed measure in a newspaper of general circulation published in that county, and file proof of publication with the county elections official.

The county elections official must ascertain the number of signatures required to sign the petition

The proponents may circulate the petitions among the voters of the county. Signatures shall be secured and the petition shall be filed with the county elections official.

During the circulation of the petition, the Board of Supervisors may refer the proposed initiative measure to a county agency or agencies for a report on various potential impacts, due within 30 days of certification of the completed petition.

The elections official shall examine the petition, and from the records of registration ascertain whether or not the petition is signed by the requisite number of voters. If the petition and its signatures are found sufficient, the Board of Supervisors shall do one of the following:

1. Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.
2. Submit the ordinance, without alteration, to the voters. The election for a county initiative that qualifies shall be held at the next statewide election occurring not less than 88 days after the date of the order of election.
3. Order an impact report, due within 30 days of the petition being certified. When the report is presented to the board of supervisors, the board shall adopt the ordinance within 10 days or order an election.



# Initiative Petition Process

An initiative petition provides a method for residents of the County of San Joaquin to propose an ordinance and submit it to the voters of the County for approval. The Registrar of Voters is the Elections Official responsible for the circulation and filing of a countywide initiative petition.

The City Clerk of the appropriate city is responsible for initiatives under city jurisdiction. Please contact the City Clerk of the appropriate city for related information.

## Notice of Intention

(§§ 9103, 9103.5, 9104, 9608)

*(Please see page 13 for a sample Notice of Intention)*

- Before circulating any petitions in the County of San Joaquin, the proponents shall file with the San Joaquin County Registrar of Voters a Notice of Intention. (§ 9103(a))
- Proponents shall pay a fee not to exceed \$200 that is set by the Board of Supervisors. The fee will be refunded if the petition is certified to be sufficient within one year. (§ 9103(b))
- From the time an initiative petition is filed until it is either rejected, voted on, or adopted by the Board of Supervisors, the Registrar of Voters will maintain the notice of intention, the full text of the initiative, and the ballot title request on file; and will provide copies of these materials upon request. (§ 9103.5)
- The Notice of Intention must:
  - Have the printed name, signature, and business or residence address of at least one but not more than five proponents. (§ 9104)
  - Be accompanied by written text of the initiative and a request for the County Counsel to prepare the ballot title and summary.
  - Be accompanied by a Statement of Acknowledgment signed by the proponents. (§9608)
- The Notice of Intention may include an optional statement stating the reasons for the petition. The statement must be 500 words or less. *(Please see the Word Count Guidelines on page 14)*

## Statements of Acknowledgment

(§§ 9608, 9609, 9610)

*(Please see pages 19-21 for sample statements)*

- Statements of Acknowledgment are meant to guard against the misuse of personal information that is collected during the petition process.
- These statements shall be kept on file for at least eight months after the certification of the results of the election for which the measure qualified. If the measure is not submitted to the voters, then it shall be kept for eight months after the deadline for submission of the petition to the Registrar of Voters.
- The proponent shall sign and submit a Statement of Acknowledgment at the time of filing the Notice of Intention and the request for a ballot title and summary. It shall be kept on file by County Counsel. (§ 9608)
- Prior to allowing a person to circulate a petition, the person, company official, or other organizational officer who oversees signature gathering shall execute and submit to the proponents a Statement of Acknowledgment. (§ 9609)
- Prior to soliciting signatures for a petition, a circulator shall execute and submit to the person, company official, or other organizational officer who oversees signature gathering a Statement of Acknowledgment. This does not apply to unpaid circulators. (§ 9610)
- Failure to comply with this section shall not invalidate any signatures on an initiative petition.

## Ballot Title and Summary

(§ 9105(a))

- Upon filing, the Registrar of Voters will immediately transmit a copy of the proposed measure to County Counsel.
- Within 15 days after the Notice of Intention is filed, the County Counsel shall prepare and return to the Registrar of Voters a ballot title and summary. It shall be a true and impartial statement of the purpose of the proposed measure.
- The ballot title may differ from the measure's submitted title and must state its purpose in 500 words or less.

## Publication of the Notice of Intention, Ballot Title and Summary

(§ 9105(b))

- The Registrar of Voters will provide a copy of the ballot title and summary to the proponents.
- Prior to circulating the petition, the proponents shall publish the Notice of Intention, the ballot title, and the summary in a newspaper of general circulation published in San Joaquin County.
- The proponents shall file proof of publication with the Registrar of Voters. Generally, proof of publication can be obtained from the newspaper publisher.

## Writ of Mandate

(§ 9106)

- Any elector of the county may seek a writ of mandate requiring the ballot title or summary prepared by the County Counsel to be amended. The court shall expedite hearing on the writ. A peremptory writ of mandate shall be issued only upon clear and convincing proof that the ballot title or summary is false, misleading, or inconsistent with the requirements of § 9105.

## Petition Preparation and Format

(§§ 100, 101, 104, 107, 9105, 9108, 9109)

*(Please see page 22 for the initiative petition template)*

The petition shall include:

- The heading shall be substantially in the following form (in a bold font):

**INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS**  
**The County Counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:**

- The ballot title and summary prepared by County Counsel. The text shall appear on each section of the petition, above the text of the proposed measure, in roman type, and no smaller than 11-point font. (§ 9105(c))
- The text of the measure must appear in no smaller than 8-point font and be clearly separated from the ballot title and summary. (§ 9105(c))
- Each section of the petition shall bear a copy of the notice of intention with the title and summary prepared by the County Counsel. (§ 9108)
- Official Top Funders section, if applicable, either on the petition or as a separate sheet. (§ 107)



- The following statement above the portion for voters' information and signatures, (in no smaller than size 11 font): (§ 101)

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

- Space for voter signatures, printed names, and residential addresses. (§ 100)
- Each section of the petition shall have an affidavit of Circulator. (§§ 104, 9109)

### Official Top Funders (§§ 101, 107)

*(Please see pages 15-16 for more information)*

- For any initiative or referendum petition for which the circulation is paid for by a committee formed pursuant to Government Code 82013, an Official Top Funders disclosure shall be included on the petition or in a separate document presented to a prospective signer of the petition. (§ 107(b))
- The Registrar of Voters is not required to verify the accuracy of the information or to reapprove the petition upon any updates the committee makes. (§ 107(g))

### Petition Circulation (§ 9108)

- Proponents may commence to circulate petitions among registered voters of the county for signatures by any registered voter of the county after publication of the title and summary prepared by the County Counsel.

### Circulator Qualifications (§§ 102, 9607, 9609, 9610)

- A person who is 18 years of age or older may circulate an initiative, referendum, or initiative or referendum petition. (§ 102)
- The proponents of an initiative must ensure that anyone, whether paid or volunteering, who gathers signatures for the measure receives instruction on state laws about petition circulation and signature gathering. This instruction must highlight that signatures collected may only be used to qualify the measure for the ballot, and for no other purpose.
- Circulators and the person in charge of signature gathering shall execute and submit to the proponents a signed statement (*See page 19*). The statement does not need to be submitted by unpaid circulators of state or local initiatives. Failure to comply with this section shall not invalidate any signatures on a state or local initiative petition. (§§ 9607, 9609, 9610)
- The circulator's signed statement shall be kept on file by the proponents of the proposed initiative measure for not less than eight months after the certification of the results of the election for which the measure qualified, or if the measure, for any reason, is not submitted to the voters, eight months after the deadline for submission of the petition to the ROV. (§§ 9609, 9610)

## Signature Threshold

(§ 9107)

- The Registrar of Voters calculates the required number of valid signatures based on the total votes cast for Governor at the most recent gubernatorial election preceding the publication of the notice of intention to circulate the initiative petition.
- The total number of votes for Governor in November 2022 in San Joaquin County was 177,325. 10% of 177,325 = 17,733 (rounding up to the next whole number).

**Note:** *The Registrar of Voters' Office strongly recommends getting more signatures than the minimum to account for signers who may be disqualified, such as those who are not registered to vote in the county.*

## Petition Signer Qualifications

(§ 9108)

- Only voters registered in the county at the time of signing are eligible to sign the petition. (§ 100)
- Any person engaged in obtaining signatures on the initiative petition may sign the petition if otherwise qualified to do so. (§ 106)

## Filing the Petition with the Registrar of Voters

(§ 9110)

- The petition shall be filed within 180 days from the date of receipt of the title and summary, or after any court action for a writ of mandate under § 9106 is resolved. If applicable, this includes time for receipt of any amended title or summary.

## Verifying Signatures

(§ 9115)

*(Please see pages 17-18 for in-depth information about the signature verification process)*

- Within 30 business days (excluding weekends and holidays) after the petition is filed, the Registrar of Voters will determine if sufficient valid signatures have been submitted by either:
  1. Conducting a full signature check; or
  2. Using a random sample method. In the interests of efficiency and time, the Registrar of Voters may opt to conduct a verification by a random sampling method.
- The random sample verification process is governed by Elections Code § 9115 and California Code of Regulations Title 2, §§ 20510-22540.

## Withdrawn Signatures

(§§ 103, 9602)

- A voter who has signed an initiative or referendum petition, and who subsequently wishes their name withdrawn, may do so by filing a written request for the withdrawal with the Registrar of Voters that includes:
  - The Name or Title of the Petition
  - The Voter's Name
  - Residence Address
  - Signature

**Note:** This request shall be filed in the Registrar of Voters' office prior to the date the petition is filed. A written request made under this section shall not constitute a petition or paper for purposes of § 104.

## Report on Initiative Petition

(§ 9111)

- During the circulation of the petition or before taking either action described in subdivisions (a) and (b) of § 9118, the Board of Supervisors may refer the initiative to any county agency or agencies for a report on any or all of the following:
  - Its fiscal impact.
  - Its effect on the internal consistency of the county's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on county actions under § 65008 of the Government Code and Chapters 4.2 (commencing with § 65913) and 4.3 (commencing with § 65915) of Division 1 of Title 7 of the Government Code.
  - Its effect on the use of land, the impact on the availability and location of housing, and the ability of the county to meet its regional housing needs.
  - Its impact on funding for infrastructure of all types, including the costs of infrastructure maintenance, to current residents and businesses.
  - Its impact on the community's ability to attract and retain business and employment
  - Its impact on the uses of vacant parcels of land.
  - Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.
  - Any other matters the Board of Supervisors requests to be in the report.
- The report must be presented within the time specified by the Board of Supervisors, but no later than 30 days after the Registrar of Voters certifies the sufficiency of the petition to the Board of Supervisors.

## Certification and Board of Supervisors' Actions

(§§ 9111, 9114, 9118)

- If the Registrar of Voters determines that there are sufficient signatures, the results will be certified with the Board of Supervisors at the next regular meeting.
- If the petition is signed by no less than 10 percent of the entire votes cast in San Joaquin County for Governor, the Board of Supervisors must choose one of the following actions:
  1. Adopt the proposed ordinance without alteration at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; or
  2. Call an election to submit the proposed ordinance, unaltered, to the voters of the County; or
  3. Order a report describing the effects of the proposed ordinance to be presented to the Board of Supervisors within 30 days. The Board of Supervisors shall either adopt the ordinance within 10 days or order an election.

## Proposed Ordinance Goes to Election

(§§ 1405, 9119)

- Calling An Election: If an election is called, the election will be consolidated with the next statewide election if it is scheduled to occur not less than 88 days after the date of the Board of Supervisors' order. If not consolidated, then a Special Election will be held not less than 88 or more than 103 days after the election is called. (§ 1405)
- Whenever any ordinance is required to be submitted to the voters of a county at any election, the ROV shall print the ordinance and make a copy available to any voter upon request. (§ 9119)

**Note:** A measure is the ballot item that results when an initiative is qualified for an election. For more information on measures, please see the Measure Guide.

# **Referendum Against a County Ordinance Petition Process**

Proponents may begin to circulate petitions to challenge a county ordinance after the Board of Supervisors takes final action on adoption of an ordinance. The petition must be filed within 30 days of the Board of Supervisors' final adoption of the ordinance and before it becomes effective. The petition must be signed by at least 10% of the entire vote cast in the county for all candidates for Governor at the last gubernatorial election. (§§ 9141-9144)

County ordinances become effective 30 days after the date of their final passage, except for:

- Ordinances calling or relating to an election
- Ordinances specifically required by law to take immediate effect
- Ordinances fixing the amount or rate of taxes
- Urgency ordinances preserving public peace, health, or safety.
- Ordinances authorizing the issuance of revenue bonds by a county as part of a joint powers entity pursuant to Section 6547 of the Government Code (§ 9142)

The ordinances referred to in this subdivision shall contain a declaration of the facts constituting their necessity and shall be passed by a four-fifths vote of the Board of Supervisors. (§ 9141)

Portions of any ordinance that change supervisorial salaries shall become effective 60 days from the date of its final passage. (§ 9143)

## **Referendum Format** (§ 9146)

The form of petition will follow the same elections codes as initiative petitions. (§§ 100-108)

[The format does not have to be approved prior to circulation. However, noncompliance with the governing laws could result in legal issues. The Registrar of Voters recommends that legal counsel be consulted.]

## **Petition Heading** (§ 9147)

Across the top of each page of the referendum petition there shall be printed the following:

“Referendum Against an Ordinance Passed by the Board of Supervisors”

Each section of the referendum petition shall contain:

- The identifying number or title; and
- The text of the ordinance or the portion of the ordinance that is subject to referendum.

## **Petition Signature Section** (§§ 100, 100.5, 105, 9020)

The petition sections shall be designed so that each signer shall personally affix all of the following:

- Voter's signature and printed name
- Voter's residence address, providing a street address, or if none exists, a sufficiently detailed description to locate the residence.
- The name of voter's incorporated city or unincorporated community. (§ 9020)
- Only voters registered in San Joaquin County at the time of signing are eligible to sign. The address shall be the same on the petition and the voter registration record. A voter may register to vote and sign a petition at the same time. It is up to the signature gatherer to turn in the voter registration cards prior to turning in the petitions.

- The number of signatures attached to each section shall be at the pleasure of the person soliciting the signatures. (§ 9020)
- An incomplete or inaccurate apartment or unit number will not invalidate a signature. (§ 105)
  - If a voter who is unable to personally affix on a petition or paper the information required, they may request another person to print the voter's name and place of residence on the appropriate spaces of the petition or paper, but the voter shall personally affix his or her mark or signature on the appropriate space of the petition or paper, which shall be witnessed by one person by subscribing his or her name thereon. (§ 100.5)

### Affidavit of Circulator

(§§ 102, 104, 9022)

Each section of the petition shall have attached to it a declaration signed by the circulator (person soliciting signatures) of that section of the petition, setting forth in the circulator's own hand, all of the following:

1. Printed name of the circulator
2. Residence address of the circulator, giving street and number, or if no street exists, adequate designation of residence so that the location may be readily determined
3. Dates between which all signatures to the petition were obtained.

The declaration shall also include that:

- The circulator circulated that section and witnessed the appended signatures being written
- 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
- The circulator certifies to the content of the declaration as to its truth and correctness, under penalty of perjury. The circulator shall state the date and the place of execution on the declaration along with the signature of his or her name at length, including given name and middle name or initial
- There is no statute requiring that the circulator be a voter or an eligible voter of the county, and similar laws governing city referendum have been declared unconstitutional by the courts

### Signature Verification

(§§ 9114, 9115)

- Signatures will be verified within 30 days from the date of filing of the petition, excluding weekends and holidays. The Registrar of Voters may use either random sampling or full signature verification. (§ 9115(a))
- Valid number of signatures shall equal at least 10% of the entire vote cast in the county for all candidates for Governor at the last gubernatorial election. (§ 9144)
- If the petition is found insufficient, no action shall be taken.
- If the petition is found to be sufficient, the San Joaquin County Registrar of Voters certifies the results to the Board of Supervisors at the next regular meeting.

## Repeal or Call for Election

(§§ 1003(e), 1100, 9145)

The Board of Supervisors shall do one of two things:

1. Repeal the ordinance entirely; or
2. Submit the ordinance to the voters either at the next regularly scheduled county election occurring not less than 88 days after the date of the order, or at a special election called for that purpose not less than 88 days after the date of the order.

The ordinance will only become effective if it is approved by a majority of voters. (§ 9145)

A special election may be held on any Tuesday that is not immediately before, on, or after a state holiday. (§§ 1003(e), 1100)

## Withdraw the Referendum

(§ 9144.5)

The proponent of a referendum may withdraw the referendum at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the Registrar of Voters.

## **Referendum Against a County Revenue Bonds Petition Process**

Referenda against County Revenue Bonds follow the same process as a referendum against a county ordinance with the following exceptions:

- **Timeframe** (CA Govt Code § 6547, CA Elec Code § 9236(a))  
Ordinances authorizing the issuance of revenue bonds by a county as part of a joint powers entity pursuant to Government Code § 6547 shall not take effect for **60 days**.
- **Signature Requirement** (§§ 9142, 9236(b))  
The number of signatures required is based on the total number of votes cast for all candidates for Governor at the last gubernatorial election:
  1. When that number exceeds 500,000, the ordinance is subject to referendum upon presentation of a petition bearing signatures of at least 5 percent of the entire vote cast within the boundaries of the county for all candidates for Governor at the last gubernatorial election.
  2. When that number is less than 500,000, the ordinance is subject to referendum upon presentation of a petition bearing signatures of at least 10 percent of the entire vote cast within the boundaries of the county for all candidates for Governor at the last gubernatorial election.
- **Format of Ballot Question** (§ 9236(c))  
The ballot wording for a referendum against revenue bonds shall approximate the following:

"Shall the (county name), as a member of the (joint powers entity name), authorize the issuance of revenue bonds by the joint powers entity in the amount of \$\_\_\_\_ pursuant to ordinance number \_\_\_\_, dated \_\_\_\_, the bonds to be used for the following purposes and to be redeemed in the following manner: \_\_\_\_?"



## **Petitions Not Public Record (Gov. Code § 7924.110)**

- Pursuant to Government Code § 7924.110, petitions and all memoranda prepared by the Registrar of Voters in the examination of the petitions indicating which registered voters have signed particular petitions are not considered public records under Government Code § 7924.110 and shall not be open to inspection except by:
  1. The public officer or public employees who have the duty of receiving, examining or preserving the petitions or who are responsible for the preparation of that memoranda.
  2. If the petition is found to be insufficient: by the proponent of the petition and a representative of the proponent as may be designated by the proponent in writing, in order to determine which signatures were disqualified and the reasons therefor.
  3. Attorney General, the Secretary of State, the Fair Political Practices Commission, a district attorney, a school district or a community college district attorney, and a city attorney shall be permitted to examine the material upon approval of the appropriate superior court.
- If the proponents of a petition are permitted to examine the petition and memoranda, the examination shall commence not later than 21 days after certification of insufficiency.
- The examination shall conclude no later than 60 days from date of commencement and the Registrar of Voters shall retain the documents as prescribed in §17200.
- All costs incurred by the Registrar of Voters due to the examination must be reimbursed by the proponent within 30 days from the date that the examination concludes.
- Before an examination is conducted and at the beginning of each day following, the proponent of a petition who requests to examine a petition and a memorandum shall deposit with the Registrar of Voters a required sum of money to cover the cost of the examination for that day.
- The proponent shall be entitled to the return of any money deposited in excess of the cost of the examination. Money not required to be refunded shall be deposited in the appropriate public treasury.
- The Registrar of Voters is not bound by any estimate of cost provided to the proponent or required to be deposited by the proponent and may, on a pro rata basis, bill the proponent for additional actual expense or refund any excess paid depending on the final actual cost.

## **Petition Retention (§ 17200)**

- The Registrar of Voters is required by law to receive or file in their offices any initiative or referendum petition and shall preserve the petition for at least eight months after certification of the results of the election for which the petition qualified. If the measure is not submitted to the voters for any reason, it must be preserved for at least eight months after the final examination of the petition by the Registrar of Voters.
- Thereafter, the petition must be destroyed as soon as reasonably possible, unless it needs to be kept for a current or ongoing investigation related to election irregularities involving the petition's qualification for the ballot, or for an investigation into a possible violation of the Political Reform Act of 1974 (Government Code Title 9, starting at Section 81000).



**SAN JOAQUIN COUNTY**  
**Notice of Intention**  
Elections Code §§ 9103, 9104

## NOTICE OF INTENTION TO CIRCULATE PETITION

Notice is hereby given by the person(s) whose name(s) appear hereon of their intention to circulate the petition within the County of San Joaquin for the purpose of \_\_\_\_\_.  
(Title of Measure)

A statement of the reason of the proposed action as contemplated in the petition is as follows:

*[Insert optional Statement of Reason for the proposed initiative here  
(statement not to exceed 500 words)]*

1.	_____	_____
	(Printed Name of Proponent)	(Signature of Proponent)
	_____	_____
	(Business or Residence Address)	(City/State/Zip Code)
2.	_____	_____
	(Printed Name of Proponent)	(Signature of Proponent)
	_____	_____
	(Business or Residence Address)	(City/State/Zip Code)
3.	_____	_____
	(Printed Name of Proponent)	(Signature of Proponent)
	_____	_____
	(Business or Residence Address)	(City/State/Zip Code)
4.	_____	_____
	(Printed Name of Proponent)	(Signature of Proponent)
	_____	_____
	(Business or Residence Address)	(City/State/Zip Code)
5.	_____	_____
	(Printed Name of Proponent)	(Signature of Proponent)
	_____	_____
	(Business or Residence Address)	(City/State/Zip Code)

**NOTE:** The notice shall include the name(s) and business, or residence addresses of at least one (1) but not more than five (5) proponents.

Notice shall be accompanied by:

- The written Text of the Initiative
- A request that a Ballot Title and Summary be prepared
- A Proponent Statement of Acknowledgement (Page 19)
- Filing Fee

## Word Count Guidelines (§ 9)

These guidelines will be utilized by the Registrar of Voters in determining the number of words submitted on any measure document whose content is limited by statute.

**Punctuation:** Punctuation is NOT counted.

**Symbols:** Symbols such as "&" (and), and "#" (number/pound) are not considered punctuation and each symbol is counted as one word.

**Proper Nouns:** All proper nouns shall be counted as one word.

Example A: John Smith = one word

Example B: Modesto Police Department = one word

**Geographical Names:** All geographical names shall be counted at one word. Areas that have Political boundaries with an elected or appointed board are considered geographic areas by this office.

Example A: County of San Joaquin = one word

Example B: Sunshine Unified School District = one word

**Abbreviations:** Each abbreviation shall be counted as one word.

Example A: PTA = one word

**Hyphenations:** Hyphenated words that appear in any generally available standard reference dictionary at any time within the 10 calendar years immediately preceding the election for which the words are counted as one word. Each part of all other hyphenated words are counted as a separate word.

Example A: Fifty-five = one word

Example B: Half-cent = two words

**Dates:** All dates, regardless of letter or number combination, shall be counted as one word.

Example A: 01/01/2016 = one word

Example B: January 1, 2016 = one word

**Numbers:** A number consisting of a digit or digits shall be counted as one word. A number that is spelled out shall be counted as a separate word or words.

Example A: 100 = one word

Example B: One hundred = two words

**Contact Information:** Telephone numbers, email addresses, and website addresses shall be counted as one word.

Example A: (525) 555-5555 = one word

Example B: smithjh16@gmail.com = one word

Example C: smithABC123.net = one word

## Official Top Funders Disclosure (§ 107)

An Official Top Funders disclosure shall be included on the petition or in a separate document presented to prospective signers of the petition. The Registrar of Voters is not required to verify the accuracy of the information or to reapprove the petition upon any updates the committee makes. (§ 107(g))

If the committee chooses to include the Official Top Funders disclosure **as a separate document**, it must follow these formatting and content rules: (§ 107)

### Format Requirements:

- Use 14-point black roman type (not bold or italic) on a plain, contrasting background.
- All text must be horizontally centered, unless stated otherwise.
- Do not use condensed fonts or adjust spacing between letters to make text narrower than standard roman type.

### Top Line:

- The sheet must begin with: “**OFFICIAL TOP FUNDERS. Valid only for [MONTH YEAR]**”, in bold, 16-point font.
- The date must be no more than seven days after the most recent confirmation of top contributors, as defined in Government Code § 84501(c).
- Leave a blank horizontal line below this.

### Initiative or Referendum Title:

- On the next line, print the official title in ALL CAPITAL LETTERS.

### Disclosure Statement:

- After another blank line, include the following section inside a box with a black border:
  1. Start with: “**Petition circulation paid for by**” (*bold*)
  2. On the next line, list the name of the committee as shown on its most recent Statement of Organization. (Gov. Code § 84101)
  3. If the committee has top contributors (Gov. Code § 84501(c)):
    - Add a blank horizontal line,
    - Then print, underlined: “Committee major funding from:”
    - List top contributors in bold text, in descending order based on cumulative contributions.
  4. Optionally, you may include, separated from the ones above and below with blank horizontal lines:
    - “Endorsed by:” (underlined), followed by up to three endorsers (not underlined), all on the next line.
  5. The final line of the box must include: “Latest Official Top Funders:” followed by the URL to either the Secretary of State’s “Official Top Funders” page or the website of the committee formed under Gov. Code § 82013 that pays for petition circulation.

### Posting and Updates:

- The committee’s website must include a prominent link to the most recent Official Top Funders sheet, in a format that allows voters to view it online and print it on a single page
- Whenever the list of top contributors changes, the committee must submit an updated sheet to the Secretary of State. The Secretary of State will post both current and previous versions online.

## Official Top Funders Disclosure on the Petition

If the committee chooses to include the Official Top Funders disclosure **on the petition itself** (rather than as a separate document), the following rules apply: (§ 107)

### Format Requirements:

- The disclosure must:
  - Appear before the voter signature section of the petition.
  - Be printed on a solid white background, inside a box with a black border.
  - Use black Arial (or equivalent) font, at least 10-point size.
  - Be centered horizontally within the disclosure area.

### Disclosure Content:

1. Top Line
  - Begin with: **“OFFICIAL TOP FUNDERS. Valid only for [MONTH YEAR]”**
  - This text must be in boldface.
  - The month and year must be no more than seven days after the committee last confirmed its top contributors, as defined in Gov. Code § 84501(c).
2. Funding Source
  - On the next line, print: “Petition circulation paid for by”, followed by the name of the committee as listed on the most recent Statement of Organization filed under Gov. Code § 84101.
3. Major Contributors (*if applicable*)
  - If the committee has top contributors under Gov. Code § 84501(c):
    - Add a blank line.
    - Then include the underlined text: “Committee major funding from:”
    - List each top contributor on its own line, in bold, in descending order based on cumulative contributions (as defined in Gov. Code § 84501(b)).
4. Optional Endorsements
  - The committee may include: “Endorsed by:” (underlined), followed by up to three endorsers (not underlined) on the next line.
  - This section must be separated from the surrounding content by blank horizontal lines.
5. Latest Information URL
  - Add the line: “Latest info:”, followed by a URL linking to one of the following:
    - The Secretary of State’s website listing Official Top Funders statements
    - The website of a committee formed under Gov. Code § 82013 that pays for petition circulation.
  - This entire line must be underlined.

### Committee Website Requirement:

- The committee’s website must provide a prominent link to the most recent Official Top Funders sheet.
  - The sheet must be viewable online and printable on a single page.

## Random Sampling Method (§ 9115)

- A random sample is drawn using a computerized random number generator and shall include 500 signatures or 3% of signatures, whichever is greater. If the random sample shows that the number of valid signatures is between 95% and 110% of the number needed to qualify the petition for the ballot, every signature shall be examined.
- If the random sample determines that the number of valid signatures is over 110%, then the petition is considered qualified without further verification. The Registrar of Voters shall certify the results to the Board at the next regular meeting.
- If the random sampling determines that the number of valid signatures is less than 95% of the number of signatures needed, then the Registrar of Voters shall certify the petition to be insufficient.
- If the petition is found insufficient, no action shall be taken on the petition. However, the failure to secure sufficient signatures shall not preclude the later filing of an entirely new petition to the same effect.
- The Registrar of Voters will notify the proponents of either the sufficiency or insufficiency of the petition and attach to the petition a certificate showing the results of the signature verification process.
- Proponents have the right to observe the random sampling process. To request observation, please contact the Registrar of Voters' Office.
- For more in-depth information about the methodology, please refer to the: *California Code of Regulations Title 2, Division 7, Chapter 5 - Election Petition Signature Verification Random Sampling Verification Methodology*. An example calculation taken from that chapter is on the next page.



## Signature Verification Example (2 CCR § 20540)

This is an example taken from the California Code of Regulations:

The elections official (Registrar of Voters) counted the number of signatures affixed to the petition and determined the raw count to be 24,034. The required three percent random sample for initiative petitions was drawn and 722 signatures were randomly selected. The signatures were verified, and the results were as follows:

Raw count:	24,034 signatures
Random sample (3%):	722 signatures
Signatures found valid in sample:	516 signatures
Signatures found not valid in sample:	205 signatures
Signatures requested to be withdrawn found in sample (included in 205 signatures deemed not valid):	1 signature
Number of duplicate signatures found in sample:	2 signatures
1. The elections official computed the percentage of valid signatures by dividing the total number of signatures found valid in the sample, 516, by the total number of signatures in the sample, 722	$516 / 722 = 71.47\%$
2. The elections official then multiplied the raw count of 24,034 by the sample validity rate of 71.47% (or .7147) to determine the number of uncorrected total valid signatures. The result was 17,178	$24,034 \times .7147 = 17,177.0990$ (Round up to 17,178)
3. To calculate the duplicate signature factor, the elections official divided the raw count by the random sample size.	$24,034 / 722 = 33.2881$
4. To determine the weight assigned to each duplicate signature found in the sample, the elections official multiplied the duplicate signature factor computed at #3., above, by the factor computed at #3., above, minus one.	$33.2881 \times 32.2881 = 1,074.8095$ ( $33.2881 - 1.0000 = 32.2881$ )
5. The elections official then multiplied the number calculated in #4, above, times the number of duplicate signatures found in the sample (2).	$1,074.8095 \times 2 = 2,149.6190$ (Round up to 2,150)
6. The elections official determined the number of valid signatures based on the random sample by subtracting the figure computed at Step #5, above, from the figure computed at Step #2., above.	$17,178 - 2,150 = 15,028$

In this example, out of the 24,034 signatures submitted to the Elections Official, 15,028 signatures were projected to be valid based on the random sample of signatures.



**SAN JOAQUIN COUNTY**  
**Proponent Signed Statement**  
Elections Code § 9608

## **PROPONENT STATEMENT OF ACKNOWLEDGEMENT**

I, \_\_\_\_\_, acknowledge that it is a misdemeanor under  
(Printed Name of Proponent)  
State Law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures  
on an initiative petition to be used for any purpose other than qualification of the proposed  
measure for the ballot.

I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for  
any purpose other than qualification of the measure for the ballot.

\_\_\_\_\_  
(Signature of Proponent)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
(Day) (Month) (Year)

This certification shall be kept on file by County Counsel for at least eight months after the certification of the results of the election for which the measure qualified. If the measure is not submitted to the voters, then it shall be kept for eight months after the deadline for submission of the petition to the Registrar of Voters.

Failure to comply with this section shall not invalidate any signatures on an initiative petition.



**SAN JOAQUIN COUNTY**  
**Petition Company Signed Statement**  
Elections Code § 9609

## **PETITION COMPANY STATEMENT OF ACKNOWLEDGEMENT**

I, \_\_\_\_\_, acknowledge that it is a misdemeanor under  
(Printed Name of Official)  
State Law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures  
on an initiative petition to be used for any purpose other than qualification of the proposed  
measure for the ballot.

I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for  
any purpose other than qualification of the measure for the ballot.

\_\_\_\_\_  
(Signature of Official)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
(Day) (Month) (Year)

The certification shall be kept on file by the proponents of the proposed initiative measure for at least eight months after the certification of the results of the election for which the measure qualified. If the measure is not submitted to the voters, then it shall be kept for eight months after the deadline for submission of the petition to the Registrar of Voters.

Failure to comply with this section shall not invalidate any signatures on an initiative petition.



**SAN JOAQUIN COUNTY**  
**Circulator Signed Statement**  
Elections Code § 9610

## **CIRCULATOR STATEMENT OF ACKNOWLEDGEMENT**

I, \_\_\_\_\_, acknowledge that it is a misdemeanor under  
(Printed Name of Circulator)  
State Law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures  
on an initiative petition to be used for any purpose other than qualification of the proposed  
measure for the ballot.

I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for  
any purpose other than qualification of the measure for the ballot.

\_\_\_\_\_  
(Signature of Circulator)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
(Day) (Month) (Year)

This certification shall be kept on file by the person, company official, or other organizational officer who oversees signature gathering for the proposed initiative measure for at least eight months after the certification of the results of the election for which the measure qualified. If the measure is not submitted to the voters, then it shall be kept for eight months after the deadline for submission of the petition to the Registrar of Voters.

This certification does not apply to unpaid circulators. Failure to comply with this section shall not invalidate any signatures on an initiative petition.

Sample Initiative Petition
(Without Official Top Funders Disclosure)

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS
The County Counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:

[Insert ballot Title and Summary here. (The ballot title and summary prepared by the county counsel shall appear upon each section of the petition, above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman type not smaller than 11 point.) Elections Code § 9105 (c)]

NOTICE OF INTENTION TO CIRCULATE PETITION
Notice is hereby given by the person(s) whose name(s) appear hereon of their intention to circulate the petition within the County of San Joaquin for the purpose of (Insert purpose of measure).
A statement of the reason of the proposed action as contemplated in the petition is as follows:
(A 500-word statement outlining the reasons for the proposed petition may be printed here. The statement is optional. The notice shall contain the printed name, signature, and business or residence address of at least one, but not more than five, proponents. §9104. To print on the petition, format the signature as “Surname, Address, City, State, Zip”. Each section of the petition shall bear a copy of the notice of intention. §9108. So, if it is on the front side, it may be omitted on the back. The law does not specify the type size for the Notice of Intent, but it should be not less than 8-point.)

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

	(Print Name)	(Residence Address ONLY)	(Official Use Only)
1.			
	(Signature)	(City)	
2.			
	(Signature)	(City)	
3.			
	(Signature)	(City)	
4.			
	(Signature)	(City)	
5.			
	(Signature)	(City)	
6.			
	(Signature)	(City)	

	(Print Name) 7. _____	(Residence Address ONLY) _____	(Official Use Only)
	(Signature) _____	(City) _____	
	(Print Name) 8. _____	(Residence Address ONLY) _____	(Official Use Only)
	(Signature) _____	(City) _____	
	(Print Name) 9. _____	(Residence Address ONLY) _____	(Official Use Only)
	(Signature) _____	(City) _____	
	(Print Name) 10. _____	(Residence Address ONLY) _____	(Official Use Only)
	(Signature) _____	(City) _____	

DECLARATION OF CIRCULATOR

(To be completed in circulator’s own handwriting after above signatures have been obtained.)

I, \_\_\_\_\_, declare that I am at least 18 years of  
[Circulator’s Printed Name (full legal name, including middle name or initial)]  
age. My residence address is \_\_\_\_\_.  
(Number & Street / City / State / Zip)

I circulated this section of the petition and personally witnessed each of the appended signatures being written. Each signature on this section of the petition is, to the best of my knowledge, belief, and information, the genuine signature of the person whose name it purports to be. All signatures were obtained between the dates of \_\_\_\_\_ and \_\_\_\_\_.  
(Month / Day / Year) (Month / Day / Year)

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

Executed on \_\_\_\_\_, at \_\_\_\_\_, California.  
(Month / Day / Year) (Place of Signing)

by \_\_\_\_\_  
[Circulator’s Signature (full legal name, including middle name or initial)]



Sample Initiative Petition
(With Official Top Funders Disclosure)

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS
The County Counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:

[Insert ballot Title and Summary here. (The ballot title and summary prepared by the county counsel shall appear upon each section of the petition, above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman type not smaller than 11 point.) Elections Code § 9105 (c)]

NOTICE OF INTENTION TO CIRCULATE PETITION

Notice is hereby given by the person(s) whose name(s) appear hereon of their intention to circulate the petition within the County of San Joaquin for the purpose of (Insert purpose of measure).

A statement of the reason of the proposed action as contemplated in the petition is as follows:
(A 500-word statement outlining the reasons for the proposed petition may be printed here. The statement is optional. The notice shall contain the printed name, signature, and business or residence address of at least one, but not more than five, proponents. §9104. To print on the petition, format the signature as “Surname, Address, City, State, Zip”. Each section of the petition shall bear a copy of the notice of intention. §9108. So, if it is on the front side, it may be omitted on the back. The law does not specify the type size for the Notice of Intent, but it should be not less than 8-point.)

OFFICIAL TOP FUNDERS. Valid only for [Month, Year] [EC § 107(b)(1) & (2)]
Petition circulation paid for by [Name of Committee as it appears on the most recent Statement of Organization filed pursuant to Government Code Section 84101]. [EC § 107(b)(3)]
Committee major funding from: [EC § 107(b)(3), GC § 84501(c)]
[Largest Contributor]
[Second Largest Contributor]
[Third Largest Contributor]
Endorsed by: [Optional-EC § 107(b)(5)]
[First Endorser]
[Second Endorser]
[Third Endorser]
Latest info: [link to Secretary of State Top Funders website or committee website]

NOTICE TO THE PUBLIC:
SIGN ONLY IF IT IS THE SAME MONTH SHOWN IN THE OFFICIAL TOP FUNDERS OR YOU SAW AN “OFFICIAL TOP FUNDERS” SHEET FOR THIS MONTH

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

Table with 4 columns: Signature Number, Print Name, Residence Address ONLY, and Official Use Only. It contains 4 rows for signatures, each with sub-rows for Name, Signature, and City.

	(Print Name) 5. _____	(Residence Address ONLY) _____	(Official Use Only)
	(Signature) _____	(City) _____	
	(Print Name) 6. _____	(Residence Address ONLY) _____	(Official Use Only)
	(Signature) _____	(City) _____	
	(Print Name) 7. _____	(Residence Address ONLY) _____	(Official Use Only)
	(Signature) _____	(City) _____	
	(Print Name) 8. _____	(Residence Address ONLY) _____	(Official Use Only)
	(Signature) _____	(City) _____	
	(Print Name) 9. _____	(Residence Address ONLY) _____	(Official Use Only)
	(Signature) _____	(City) _____	
	(Print Name) 10. _____	(Residence Address ONLY) _____	(Official Use Only)
	(Signature) _____	(City) _____	

DECLARATION OF CIRCULATOR

(To be completed in circulator's own handwriting after above signatures have been obtained.)

I, \_\_\_\_\_, declare that I am at least 18 years of  
[Circulator's Printed Name (full legal name, including middle name or initial)]  
age. My residence address is \_\_\_\_\_.  
(Number & Street / City / State / Zip)

I circulated this section of the petition and personally witnessed each of the appended signatures being written. Each signature on this section of the petition is, to the best of my knowledge, belief, and information, the genuine signature of the person whose name it purports to be. All signatures were obtained between the dates of \_\_\_\_\_ and \_\_\_\_\_.  
(Month / Day / Year) (Month / Day / Year)

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

Executed on \_\_\_\_\_, at \_\_\_\_\_, California.  
(Month / Day / Year) (Place of Signing)

by \_\_\_\_\_  
[Circulator's Signature (full legal name, including middle name or initial)]