

OVERVIEW

Whenever any county, city, school, or special district measure qualifies for placement on the ballot, a written argument for or against the measure may be filed. When both an argument in favor and against has been selected, the County Elections Official shall send a copy of the argument in favor to the author(s) of the argument against and a copy of the argument against the measure to the author(s) of the argument in favor after the close of the filing period. The authors may prepare and submit rebuttal arguments. This guidebook has been prepared to assist Members of the Board of Supervisors, Governing Boards, voters, and citizens in preparing and submitting arguments and rebuttal arguments. Forms for filing such arguments are also included in this guidebook. All codes refer to the Elections Code unless otherwise stated.

Arguments For and Against

Who Can File An Argument: The Governing Board (i.e., Board of Supervisors, City Council, school board, or special district board), or any member or members of those legislative bodies authorized by the legislative body, or any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of those voters and associations. §§9120, 9162, 9282, 9501

The persons filing a district initiative petition may file an argument in favor of the proposed ordinance. The district board may submit an argument against the ordinance. §9315

The filer does not have to be a signer of the argument.

Ballot arguments for county, city, and/or school district measures must be accompanied by the printed name and signature or printed names and signatures of the person or persons filing it, or, if filed on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers. No more than five signatures shall appear with any argument submitted for or against a measure. §9164

Original documents must be filed in person. All documents will be examined to ensure that the required format has been met. If the document does not meet the requirements, the filer will be asked to make corrections; otherwise, the document will not be accepted. This practice is done to avoid missing filing deadlines.

If more than one argument for or against any county, city, or school district measure is submitted, the County Elections Official shall select one for printing in the voter's Sample Ballot pursuant to the following priority:

- (a) The Board of Supervisors, Governing Board, or member or members of the Board authorized by the Board.

- (b) The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
- (c) Bona fide associations of citizens.
- (d) Individual voters who are eligible to vote on the measure. §§9166, 9287, 9503

Arguments must not exceed 300 words. §§9162, 9282, 9315, 9501

Rebuttals: Not all measures appearing on the ballot will allow for rebuttals. The same will be noted in the resolution calling the election. Rebuttals to the direct arguments must be signed with original signatures by the same authors of the primary argument unless the filer of the direct argument authorizes in writing (see form attached) for another person or persons to sign the rebuttal. (Allowed pursuant to §9069, even though it pertains specifically to state measures.) An "Authorization for Another Person or Persons to Sign Rebuttal Argument" should be filed with the rebuttal. Rebuttals must not exceed 250 words. §9167, 9285, 9317, 9504

Impartial Analysis:

County or School Measure: The County Counsel is required to prepare an Impartial Analysis of a county or school measure. §9160, 9500

City Measure: The City Attorney shall prepare an Impartial Analysis of a city measure. §9280

Special District: For special district measures, the County Counsel of the county with the largest number of registered voters shall prepare an Impartial Analysis. §9313

Water District: For water district measures, the legal counsel for the district, or if there is no counsel, the County Counsel of the county with the largest number of registered voters of the water district shall prepare an Impartial Analysis. If there is a legal counsel for the water district, the Impartial Analysis shall be subject to review and revision by the County Counsel. §9314

The Impartial Analysis may not exceed 500 words. §§9160, 9280, 9313, 9314, 9500

Fiscal Analysis: The Board of Supervisors may request the County Auditor-Controller, not later than 88 days prior to an election, to prepare a fiscal analysis of a county measure. The fiscal impact statement shall not exceed 500 words. §9160

Tax Rate Statement: Each bond measure proposed by a county, city, district, or other political subdivision or by any agency, department, or board thereof, the security for which constitutes a lien on the property within the jurisdiction, shall mail a tax rate statement with the Sample Ballot. §§9400, 9401

The statement shall be filed with the County Elections Official not later than the 88th day prior to the election. The law does not specify a word limit for such statements.

Full Text: Cities and counties often publish the full text of ordinances to be voted on in the Sample Ballot. It is *preferred* that the full text be filed *electronically* in order to

maintain the integrity of the submitted document. (Full Text of Ordinance, Resolution, Charter Amendment)

If the full text of a county or city measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the Impartial Analysis, in no less than 10-point boldface type:

§§9160, 9280

CRITERIA FOR PREPARING ARGUMENTS AND REBUTTALS

- Be accurate. Documents will be printed as submitted. Spelling, punctuation, and grammatical errors will not be corrected by the Elections Division.
- An argument, rebuttal, or tax rate statement must be written to address a single measure on the ballot. A document combining statements pertaining to more than one measure will not be accepted.
- A “Declaration by Author(s) of Argument or Rebuttal” form must accompany all arguments and rebuttals §9600
- No more than five signatures will appear with any argument. If more than five are submitted, the first five will be printed. §§9164, 9501.5
- Arguments, rebuttals, and tax rate statement, including the names and titles of the signers, must be typed to ensure quality and accuracy.
- Do not use profanity or other objectionable language.
- The heading is standardized. Subheadings and deviations from the standardized heading will not be accepted.
- Arguments, rebuttals, analyses, and tax rate statements are printed in the Sample Ballot.
- Arguments must be typed, upper and lower case, and in block format with spacing between paragraphs (no indents).
- Do not use any characters, unusual spacing, bolding, underscoring, bullets, circles, stars, dots, italics, tables, lists, signs, symbols, or any other unusual punctuation.