



CITY OF GRASS VALLEY

CITY CLERK'S OFFICE

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The 2020 City of Grass Valley General Information guide for City Council Candidates is intended to provide general information about the nomination and election of candidates, and does not have the force and effect of law, regulation or rule. It is not the intent of the City of Grass Valley to render legal advice. This guide is not a substitute for legal counsel for the individual, organization or candidate using it. In case of any conflict, the law, regulation or rule will apply.

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# NOTICE

The 2020 Candidate's Handbook for November 3, 2020 Election is intended to provide general information for candidates and committees, and does not have the force and effect of law, regulation or rule. It is distributed with the understanding that City of Grass Valley is not rendering legal advice and therefore the handbook is not to be a substitute for legal counsel for the individual, organization or candidate using it.

The City of Grass Valley strongly recommends that any prospective candidate obtain legal advice, to assist in complying with applicable California laws, including the California Elections Code and California Government Code. In the case of conflict, the law, rule or regulation will apply.

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## CITY OF GRASS VALLEY

125 East Main Street  
Grass Valley, CA 95945  
Tim Kiser, City Manager

### Council Members

Lisa Swarthout, Mayor  
Ben Aguilar, Vice Mayor  
Jan Arbuckle  
Howard Levine  
Hilary Hodge

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Dear Candidate,

Congratulations on your decision to seek office in the upcoming Municipal Election. Your candidacy provides voters a choice and is important to the democratic process.

This candidate handbook has been prepared to summarize major provisions of the California Elections Code and other laws related to candidates and committees involved with the elections process. The candidate filing process can be confusing and I hope that you find the handbook to be both informative and useful.

The City Clerk's Office is dedicated to helping all qualified candidates successfully complete the candidate filing process and ensure the election is fair, accurate, transparent, and administered with the utmost integrity.

The best advice for all candidates is FILE EARLY. The filing deadlines are rigid and if one waits until the last moment to file a document that may contain errors or omissions, your right to appear on the ballot may be lost. Most errors and/or oversights can be corrected given adequate time.

Please note that this election nomination papers will only be able to be picked up and dropped off by appointment only. To schedule an appointment, please contact Taylor Day by email [taylord@cityofgrassvalley.com](mailto:taylord@cityofgrassvalley.com) or by phone at 530-274-4716.

We are committed to providing the best possible service to you, your campaign staff and the voters of the City of Grass Valley.

All the best to you in your campaign,

Sincerely,

City of Grass Valley City Clerk's Office

# CANDIDATE'S QUICK REFERENCE CALENDAR

## **July 13, 2020 to August 7, 2020**

Filing Period for Nomination Papers and Candidates Statements

## **August 7, 2020**

Last Day to File Nomination Papers

## **August 8 to August 12, 2020**

Extension of Nomination Period

If an incumbent does not file by 5 p.m. on August 10, there is a 5-day filing extension for anyone other than the incumbent file for office.

## **August 7, 2020**

Last Day to File Nomination Papers - Extended Filing Period if incumbent fails to file.

## **August 13, 2020**

Secretary of State to Determine Order of Names on Ballot

## **August 17 or August 22 if extended filing period**

Last Day of Public Review Period for Candidate's Statements

## **August 20, 2020**

Time to Cancel Election - Insufficient Candidates

## **August 30, 2020**

Randomized List from Secretary of State

By this day the SOS shall provide to elections officials a list of candidates for each county arranged according to the randomized alphabet drawn on August 13, 2020

## **September 7, 2020**

City Holiday – Office Closed

## **September 7, 2020 to October 20, 2020**

Filing Period for Write in Candidate

## **October 12, 2020**

City Holiday – Office Closed

## **October 19, 2020**

Last Day to Register to Vote

## **October 20, 2020**

Last Day to File for Write-in Candidate

## **November 3, 2020**

**ELECTION DAY**

## GENERAL INFORMATION FOR CANDIDATES

**Offices to be elected:** Three (3) seats for City Council Member are to be elected. City of Grass Valley City Council Members are elected at-large for four (4) year terms.

**Qualifications:** Be a registered voter of the city at the time Nomination Papers are issued. (GC 36502) (Grass Valley City Charter, Article V, Section 4, requires the candidate to be a resident and a registered voter in the city at the time Nomination Papers are issued.)

**Filing Requirements:** File Nomination Papers with the City Clerk, including a nomination petition containing signatures of 20 to 30 registered voters. (EC 10220; Grass Valley City Charter, Art. XI, Sec. 3)

**Taking Office:** City Council Members must be installed no later than December 11, 2018. City Council members take office following certification of the election results. Prior members remain in office until their successors are elected and certified. (GC 36503)

## NOMINATION PROCEDURES

### CAN NOMINATION DOCUMENTS BE ISSUED TO SOMEONE OTHER THAN THE CANDIDATE?

Nomination documents will not be issued to or accepted from an unauthorized person. The authorization must be in writing and signed by the candidate.

### NOMINATION DOCUMENTS

Only official Nomination Documents issued by the City of Grass Valley City Clerk's Office may be used. The period in which a candidate may obtain Nomination Documents begins 113 days before and ends 88 days before the date of the election. The forms are available at the City of Grass Valley, City Clerk's Office at 125 East Main Street, Grass Valley, **by appointment only between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday,** excluding holidays. State law requires that all Nomination Documents contain the candidate's name and elective office title to which he/she is seeking nomination or election and be signed by the election official at the time of issuance.

Please note: Nomination Documents will not be issued to or accepted from an unauthorized person. The authorization must be in writing and signed by the candidate. (EC 8028(b))

### HOW CAN MY NAME APPEAR ON THE BALLOT?

The candidate's name as provided by the candidate on the Affidavit of Nominee is the way it will appear on the ballot.

The ballot name may be designated as follows:

- First, middle, and last names,
- Initials only and last name,
- A nickname may be included but must be in quotation marks, not parentheses.
- A familiar short version of the first name, such as "Bill" for "William", "Dick" for "Richard" or "Jim" for "James".
- No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name. (EC 13106)

- A change in legal name is not allowed unless the change was made by marriage or by court decree. (EC 13104)

The Affidavit of Nominee cannot be changed after the nomination process is complete.

### **BALLOT DESIGNATION**

Pursuant to Elections Code Section 13107.3, all candidates that wish to have a ballot designation listed on the ballot must complete a ballot designation worksheet. The candidate must file the ballot designation worksheet at the same time the Affidavit of Nominee is completed. If no ballot designation worksheet is filed, no designation shall appear on the ballot.

Listing of vocation/occupation/profession/elected position below your name on the ballot is optional. If you choose to do so, you must adhere to the following requirements:

- Elective Office Title - You may use an elective title if you were elected to the office and are still in that same office at the time of filing. You may use the term "incumbent" if running for the same office. If you were appointed, you must use "appointed incumbent" or the word "appointed" and the title of the office held. Exception: Candidates appointed to the office in-lieu of an election do not have to use the word "appointed".
- Principal Occupation - You are limited to three words to describe your principal profession, vocation, or occupation.
- You May Not Use - (a) Any designation that would mislead the voter; (b) Any suggested evaluation, such as "outstanding", "leading expert", "virtuous" or "eminent"; (c) Words indicating a prior status, such as "former" or "ex". You may not use the name of any political party.
- As of January 1, 2003, the ballot designation "community volunteer" is permissible IF a candidate's community volunteer activities constitute his/her principal profession, vocation, or occupation and the candidate is not engaged concurrently in another principal profession, vocation, or occupation. The ballot designation of "community volunteer" may not be used in combination with any other principal profession, vocation or occupational designation.
- If you choose to supply a Ballot Designation, please fill out and return the Ballot Designation worksheet.

There are other restrictions, but these are the most common. The candidate will be notified by the Nevada County Elections Office if a Ballot designation is in violation of the above requirements and/or restrictions. If an alternative Designation is not provided within the deadline set by the Nevada County Clerk, NO designation will appear on the ballot. (EC 13107)

### **EXTENSION OF NOMINATION PERIOD**

If an incumbent for office fails to file Nomination Papers by the deadline date, the nomination period is extended for five calendar days. During this period, any qualified person other than the incumbent may file Nomination Papers for the office in question.

### **INSUFFICIENT NUMBER OF CANDIDATES FOR ELECTION CONTEST (Appointment In Lieu Of Election)**

If no more candidates file for office than there are offices to be filled and if there are no other offices or measures on the ballot, the Election Official shall notify the Council and it may either:

1. Appoint to the office the person(s) who have been nominated.
2. Appoint to the office any eligible elector if no one has been nominated
3. Hold the election if either no one or only one person has been nominated.

### **STEP 1 – APPLY FOR NOMINATION DOCUMENTS**

A candidate must supply the following information: Name, residence and mailing address, telephone numbers and the elective office title for which he or she is applying. This information is used in preparing the Nomination Documents. Candidate qualifications are checked at this time.

### **STEP 2 – RECEIVE NOMINATION DOCUMENTS**

A candidate's Filing Packet Receipt is prepared and must be signed by the candidate. The following documents will then be issued to each candidate:

1. City of Grass Valley Candidate Handbook for City Council Candidates
2. Declaration of Candidacy (document prepared and retained by the City Clerk's Office).
3. Nomination Paper – mandatory filing (At least 20 qualified signatures must be collected)
4. Ballot Designation Worksheet
5. Form 700, Statement of Economic Interest – mandatory filing
6. Code of Fair Campaign Practices Form – optional filing
7. Candidates Statement Guidelines and Form – optional filing and must be accompanied by a payment of \$258.60 for English or \$617.20 for English and Spanish to the County of Nevada
8. Political Sign Policies
7. Election Calendar (In this election handbook)
9. Candidate Campaign forms:
  - 410 – Statement of Organization, Recipient Committee
  - 501 – Candidate Intention Statement
  - 460 – Recipient Committee Campaign Statement
  - 470 – Campaign Statement Short Form and Form 470 supplement
10. Literature and Mailing requirements information sheet

### **STEP 3 – COMPLETE NOMINATION DOCUMENTS**

Beginning July 13, 2020

#### **DECLARATION OF CANDIDACY FORM**

California Election Code Law requires candidates to publicly declare their intention to run for office. The Declaration of Candidacy form is issued for this purpose.

Elections staff will complete most of the Declaration of Candidacy form for the candidate. The items that must be completed by the candidate include:

1. Printed name for use on the official ballot
2. Ballot Designation for use on the official ballot (refer to provisions provided in the General Information Section of this manual)
3. Incumbency in any other elected public offices
4. Signature and date where applicable.

#### **NOMINATION PAPER/PETITION**



Beginning July 13, 2020

All candidates must collect at least 20 qualified signatures to have their name placed on the ballot. 30 signatures are recommended so that the candidate will have at least 20 qualified signatures as required.

#### **STEP 4 – FILE NOMINATION DOCUMENTS AND CAMPAIGN DOCUMENTS**

**The following documents must be filed by the final filing date:**

1. Nomination Paper – mandatory filing
2. Ballot Designation Worksheet - optional
3. Form 700, Statement of Economic Interest – mandatory filing
4. Code of Fair Campaign Practices - optional
5. Candidates Statement Guidelines and Form – optional filing. Must be accompanied by a payment of \$264.18 for English or \$628.36 for English and Spanish payable to the County of Nevada.

The following FPPC documents must be filed in the location(s) and by deadlines as specified on each form:

#### **Form 501-Candidate Intention Statement**

File this form prior to soliciting or receiving any contribution, or expenditure of any personal funds (except personal funds used for payment for the statement of qualifications in the ballot pamphlet). Local candidates file one copy of this form with the City of Grass Valley City Clerk's Office and one copy with the Nevada County Elections Office.

#### **Form 410-Statement of Organization**

File this form within 10 days of receiving \$2,000 in contributions. Personal funds (except personal funds used for payment for the qualifications in the ballot pamphlet) used to seek or hold elective office is counted toward this \$2,000 threshold. The original form and a copy are filed with the Secretary of State's Office, and another copy is filed with the City of Grass Valley City Clerk's Office and the Nevada County Elections Office. Upon receipt of the Form 410, the Secretary of State's Office will assign an identification number and send you written notification of your identification number. (Identification numbers are also posted on the Secretary of State's website at <http://www.sos.ca.gov/> )

#### **Form 460 and Form 470-Campaign Disclosure Reports**

##### **If you form a committee:**

File Form 460-Recipient Committee Campaign Statement if you have a controlled committee and you raise contributions totaling \$2,000 or spend \$2,000 during the calendar year. You must file the Form 460 by the filing deadlines specified in the campaign statement filing schedule. Local candidates file an original and a copy with the City of Grass Valley City Clerk's Office and the Nevada County Elections Office.

##### **If you do not form a committee:**

File Form 470-Officeholder and Candidate Campaign Statement Short Form if you do not anticipate raising contributions totaling \$2,000 or spending \$2,000 during the calendar year. You must file the Form 470 either when filing the declaration of candidacy or no later than the filing deadline for the first campaign statement. This form is only filed once. Local candidates file an original and a copy with the City of Grass Valley City Clerk's Office and the Nevada County Elections Office.

### **Supplemental Form 470**

An officeholder/candidate who has filed Form 470 in connection with an election and subsequently received contributions (including monetary and non-monetary contributions, loans, and the candidate's personal funds) totaling \$2,000 or more or makes expenditures totaling \$2,000 or more prior to the election, is required to send written notification. The notification must be sent within 48-hours of receiving contributions totaling \$2,000 or more or making expenditures of \$2,000 or more. The notification must include the name and address of the candidate, the elective office, and the date of election for which the Form 470 was filed and the date contributions or expenditures totaling \$2,000 or more were received or made. The form 470 Supplement may be used as the written notification. Local candidates file an original and a copy with the City of Grass Valley City Clerk's Office and the Nevada County Elections Office.

### **Form 700-Statement of Economic Interests**

**All candidates** must complete a Form 700 Statement of Economic Interests and file it by August 7, 2020 (the final day to file Nomination Papers/Petitions). On the first page, Section 3 "Type of Statement," mark the box in the lower left-hand corner that reads "Candidate." Report investments, interests in real property, and business positions held on the date of filing your Declaration of Candidacy. In addition, report income (including loans, gifts and travel payments) received during the 12 months prior to the date of filing your Declaration of Candidacy

## **CANDIDATE STATEMENT OF QUALIFICATIONS**

**An important new regulation was adopted by the legislature in 2007 regarding candidate statements. Candidates are prohibited from making any reference to any opposing candidate in their candidate statement. If a statement does not comply with this provision it will not be accepted by the City Clerk.**

**CANDIDATES ARE ENCOURAGED TO SUBMIT THEIR STATEMENT OF QUALIFICATIONS a THUMB DRIVE. ATTACH A WRITTEN COPY TO THE "STATEMENT OF QUALIFICATIONS" FORM PROVIDED BY THE ELECTIONS OFFICE.**

The Candidate Statement, published in the Voter Information Pamphlet, is optional and is left entirely to candidates to determine if they wish to have one. The Statement may include the candidate's age, occupation (which does not have to match the Ballot Designation that appears below the candidate's name on the ballot) and a 200-word description of the candidate. The Statement must be filed at the same time the Declaration of Candidacy is filed, although the candidate may request his/her check not be cashed until it has been determined the office sought will not be contested. No reference to political party affiliation or any mention of political party membership or activity is permitted for candidates for non-partisan office. No mention of political opponents is allowed; the purpose of the Statement is to explain to voters the Candidate's qualifications and experience.

If you purchase a Candidate Statement you will be required to pay the sum of \$264.18 to the County of Nevada for the cost of printing the candidate's statement in English or \$628.36 in English and Spanish. Statements must be filed no later than 5 p.m. on the last day of the nomination period. Statements must be filed at the time Nomination Documents

are

filed.

A Candidate Statement may be withdrawn, but not changed, during the period for filing Nomination Documents and until 5 p.m. of the next working day after the close of the nomination period. Statements are confidential until after the close of the nomination period.

California Elections Code intends for uniformity of appearance of each Statement of Qualifications. By preparing your Statement in accordance with the guidelines provided, each Statement will be uniformly printed and allowed the same amount of space in the Voter Information Pamphlet. This avoids favored composition or printing of one Candidate's Statement over another.

All statements shall be printed in a uniform size, darkness, and with uniform spacing (EC 13307[b]). All Statements will be set in a left-justified format, so as to fit within a 1/4 page space (for a 200 word statement). Entire statements in all capital letters, multiple indentations, circles, or arrows are prohibited. Generally, any characters that can be produced from a standard keyboard are acceptable (i.e.,!, @, \*, -, ( ), %, #).

Because the Election Code mandates that all statements must be uniform, **bolded**, CAPITALIZED and Underlined words are not acceptable. Indentations, bullets, or multiple underscoring will not be allowed. Items in a list will not be allowed unless the list is in the form of a paragraph. All Statement of Qualifications should be checked by the candidate for spelling, punctuation and grammar. The county elections official will not edit any material to correct mistakes. **Statements with spelling, punctuation and grammatical errors will be printed exactly as submitted.**

Nothing in the foregoing shall be deemed to make any such statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in the Voter Information Pamphlet.

Copies of all Candidate Statements will be available for public inspection at the Elections Office after the expiration of the filing deadline. (EC 13311)

**Note:** It is the responsibility of the candidate, if he/she has any questions concerning the guidelines for filing a Candidate Statement, to request assistance or clarification. If a Candidate Statement is submitted and found not to be in compliance with these guidelines, the County Clerk will make the necessary formatting changes to bring the statement into compliance - but the County Clerk will not correct spelling or grammatical errors.

**If a candidate wishes to have a Candidate Statement appear in Spanish as well as English**, the charges listed will be doubled and the candidate will also pay \$100.00 for the translation by an approved Spanish language translator retained by the state-certified company that prints Nevada County's Voter Information Pamphlet.

#### **WORD-COUNTING GUIDELINES**

The guidelines listed below are used by the county elections official for counting words:

- Name, age, and office title (located at the top of the form) or signature (at the bottom) are not counted, only the text.
- Punctuation marks are not counted as words.

- Geographical names such as cities, towns or states are counted as one (1) word. Examples: Los Angeles, City and County of San Francisco, Nevada County
- The words “a”, “I”, “the”, “and”, “an”, are counted as individual words.
- A monetary amount, such as \$1,000.00, is counted as one (1) word.
- Abbreviations are counted as one (1) word. Examples: UCLA, U.S.A.F., PTA, AFL-CIO
- Hyphenated words that appear in any generally available dictionary shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
- Numeric combinations are counted as one (1) word. Examples: 1999, 13½, 1998-99, 5%, 6/1/99
- Any number which is spelled out, such as “one” shall be considered as a separate word or words. “One” shall be counted as one word, whereas “one hundred” is counted as two words. “#1” is considered one word.

Words will be counted by Elections Staff when submitted. If the text exceeds the word limit, the author will be asked to delete or change a sufficient number of words or sentences until the statement is within the required word limit.

## CAMPAIGN DISCLOSURE INFORMATION

**The FPPC has recently simplified and/or consolidated filing forms. However, these changes are not reflected in FPPC manuals, and information therein does not always correspond with recently-updated forms and filing requirements. It is the responsibility of the candidate or committee to clarify inconsistencies and/or solicit answers to questions by contacting the FPPC toll-free at 1-866-275-3772. All FPPC forms and instructions may be downloaded from the FPPC web site: [www.fppc.ca.gov](http://www.fppc.ca.gov)**

### **CAMPAIGN DISCLOSURE FORMS**

Depending on the form, the forms listed or copies of the originals must be filed with the Elections Office, the Secretary of State, and/or the Fair Political Practices Commission. Each form specifies where it must be filed, and/or the filing location is described in the FPPC Manual. Amendments to forms must be filed in the same place(s) as the original form.

Form 410 – Statement of Organization.

Form 460 - Officeholder/Candidate/Controlled Committee Campaign Statement - Long Form.

Form 470 – Candidate and Officeholder Campaign Statement – Short Form.

Form 501 -- Candidate Intention Statement.

Form 700 -- Statement of Economic Interests.

The Political Reform Act of 1974 requires all candidates for state and local elective office, all state and local elected officeholders, proponents of state ballot measures who control a ballot measure committee, and committees supporting or opposing state and local candidates, all measures, and petition circulation drives to file campaign disclosure statements disclosing contributions received and expenditures made.

It is the responsibility of candidates and/or committees to be aware of and to file the required campaign disclosure statements in a correct and timely manner; all candidates will sign an "FPPC Information Acknowledgement" form. The law provides for a \$10 per day late filing penalty for a statement filed after the prescribed deadline. The method of delivery (mail, in person, fax) that is acceptable varies between deadlines. Any person who violates any provision of the Political Reform Act may be liable in an administrative proceeding for an amount up to \$5,000 per violation (GC 83116c).

All disclosure statements are a matter of public record. They may be inspected at the Elections Office by anyone, and copies may be purchased at ten cents (\$.36) per single sided page.

A candidate who will not receive contributions from others, and whose only expenditures will be from personal funds for the filing fee and/or statement of qualifications in the Sample Ballot Booklet, does not need to file Form 501 nor 410. If the candidate has not already filed an annual Form 470, the candidate is encouraged to file a Form 470 at the time of filing nomination papers, and must do so no later than the first pre-election filing.

Candidates and officeholders who make campaign-related expenditures from personal funds not to exceed \$2,000 must file Form 501. Candidates who plan to use personal funds exceeding \$2,000 to pay campaign-related expenses, other than filing fees and/or statement of qualifications in the Sample Ballot Booklet, deposit those funds into an appropriate campaign bank account prior to making the expenditure and file Forms 501 and 410.

**Before a candidate may solicit or receive any contributions from others**, a Candidate Intention, Form 501, must be filed. If the Candidate files a Form 470 and receives contributions, a bank account must be opened. If the Candidate files a Statement of Organization Form 410, the bank account information is provided on the Form 410. Contributions of \$100 or more may not be received in cash, but must be on a written instrument that shows both the recipient's and contributor's names.

**Before a candidate may accept campaign donations from others**, a bank account must be opened. However, personal funds may be used for the 1) filing fee, 2) Candidate Statement of Qualifications fee, and/or 3) up to the first \$2,000 for campaign expenditures as long as no contributions were received from others.

**A Form 470 may be filed annually, when submitting a declaration of candidacy**, or no later than the deadline for the first pre-election campaign statement if the officeholder or candidate does not have an active controlled committee and will not receive \$2,000 in contributions during the year.

**If an officeholder or candidate files a Form 470 in connection with an election**, and subsequently receives more than \$2,000 in contributions, a Form 470 Supplement must be filed with the Secretary of State, the local filing officer, and with each opposing candidate within 48 hours. Regular mail may not be used.

**If an officeholder or candidate receives \$2,000 in contributions**, including personal funds used for campaign-related expenses, a Statement of Organization, Form 410, must be filed. See the FPPC manual for deadlines.

**Once a Form 410 has been filed, the officeholder or candidate must file an Officeholder/ Candidate/Controlled Committee Campaign Statement, California Long Form 460 for all pre-election and semi-annual filings, whether or not it is an election year. The controlled committee is considered active until the Form 410 Termination has been filed. Whenever there is a change in any of the information contained in a Statement of Organization, a Form 410 must be filed with the Secretary of State and a copy filed with the local elections officer within 10 days to reflect the change.**

## **OTHER IMPORTANT INFORMATION FOR CAMPAIGN COMMITTEES**

### **Tax ID Numbers**

Some banks may require a committee to obtain a Tax ID Number before opening an account. Please contact the Internal Revenue Service for further detail. You may apply for an ID Number using IRS Form SS-4. Please note that the Committee ID Number issued to you by the Secretary of State is separate and distinct from the Tax ID Number you may obtain from the IRS. The two numbers are not interchangeable.

**FPPC Regulation 18402 – Requires that all candidate-controlled committees formed after July 1, 2007 must contain the last name of the candidate in the name of the committee.**

### **Proposition 34**

Proposition 34, passed in 2000 contains many regulations on campaign contributions and expenditures that apply to candidates and committees for local office. The full text of Proposition 34 and many useful support documents are available on the FPPC's website.

## **CODE OF FAIR CAMPAIGN PRACTICES**

At the time an individual files his/her Declaration of Candidacy, Nomination Paper/Petition, or any other paper evidencing an intention to be a candidate for public office, the Elections Office will give the individual a blank form of the Code of Fair Campaign Practices. The Elections Office will inform each candidate for public office that subscription to the Code, by signing and returning the form, is voluntary. (EC 20440)

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

It is the intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters. (EC 20400)

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and encourage candidates to discuss issues instead of untruths and distortions. (EC 20400)

In the case of a committee making an independent expenditure as defined in Section 82031 of the Government Code, the Secretary of State will provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial Campaign Statement on behalf of the committee. (EC 20440)

The Elections Office will accept, at all times prior to the election, all completed forms which are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election. (EC 20442) Every code subscribed to by a candidate for public office pursuant to Chapter 6 of Division 20 of the Elections Code is a public record open for public inspection. (EC 20443) In no event shall a candidate for public office be required to subscribe to or endorse the Code. (EC 20444)

## **POLITICAL SIGNS**

**NO SIGNS IN PUBLIC RIGHT-OF-WAY.** A political sign is any type of posted advertisement used to promote or defeat a candidate and/or measure for an election. **Political signs are not allowed within 100 feet of the entrance to a polling place on Election Day.** It is highly recommended that candidates purchase a list of Nevada County polling places so they can remove any signs within 100 feet of a polling place the day BEFORE Election Day.

**CITY OF GRASS VALLEY:** No person shall post, stick, stamp, paint or otherwise fix, or cause the same to be done by any person, any notice, placard, card, poster, advertisement or other paper or device calculated to attract the attention of the public, to or upon any sidewalk, crosswalk, curb or curbstone, flagstone, or any other portion or part of any public way or public place, or any lamp post, electric light, telegraph, telephone or trolley line pole, or railway structure, hydrant, shade tree or tree-box or upon the piers, columns, trusses, girders, railings, gates or other parts of any public bridge or viaduct, or other public structure or building, or upon any pole, box or fixture of the fire alarm or police telegraph system except such as may be authorized or required by the laws of the United States, or state, and the ordinances of the City. (GV City Code Sec. 5.28.020) **NO SIGNS IN PUBLIC RIGHT-OF-WAY.**

### **Temporary political signs shall be allowed without a sign permit.**

Political signs are allowed in compliance with the following requirements.

- a. No political sign shall be erected prior to 90 days before the election to which the sign pertains.
- b. In commercial, industrial, and other non-residential zones, each political sign and the total of all political signs on a parcel shall not exceed 32 square feet in total sign area.
- c. In residential zones, no political sign shall exceed four square feet in total sign area.
- d. No political sign shall be located within a public right-of-way.
- e. All political signs shall be removed within 5 days after the election to which the signs pertain.

**COUNTY OF NEVADA:** Political Signs/temporary signs not exceeding 32 square feet per sign are permitted, providing that such signs are not posted more than 90 days preceding

the election and are removed within 10 days following the election. (Nevada County Zoning Ordinance Sec. L-II, 4.2.12).

## **LEGISLATIVE INTENT/CAMPAIGN LITERATURE**

The following code sections pertaining to campaign literature and related matters have been reproduced in full for your information. The Legislature Finds and Declares:

That a need exists for adequate identification of the source of campaign appeals directed at the voters in order to assist them in making rational decisions at the polls.

That by requiring such identification of campaign literature, the public is better able to evaluate the source of campaign material, may be more adequately informed, and can better distinguish between truth and falsity.

That by requiring identification, anonymous attacks, which cannot adequately be responded to in the heat of a campaign, will be discouraged.

That by requiring identification, a candidate who believes he has been libeled may more readily seek redress in a civil action for damages.

That limiting identification requirements to pejorative campaign material is inadequate because subtle attacks on candidates or measures can be framed which appear to be supportive but, in fact, are pejorative.

That a distinction needs to be made between campaign materials of small size that usually carry little more than a "Vote for \_\_\_\_\_" message, such as is often the case with buttons, matchbooks, pens, and the like on the one hand, and campaign materials which carry more complex messages on the other. In the case of the former, because of their characteristically small size and limited content, it would be an undue burden to require that identification as to source be included.

**Gov. Code Sec. 84305. Manner of Sending Mass Mailings.** (200 or more of identical or nearly identical pieces of mail)

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

**EC Sec. 20008. Political Advertisement Requirements.**



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

**EC Sec. 20009. Simulated Ballot Requirements.**

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

**NOTICE TO VOTERS (Required by Law)**

"This is not an official ballot or an official sample ballot prepared by the County Elections Official or the Secretary of State. This is an unofficial, marked ballot prepared by (insert name and address of the person or organization responsible for preparation thereof)."

Nothing in this section shall be construed to require this notice in any editorial or other statement appearing in a regularly published newspaper or magazine other than a paid political advertisement.

No simulated ballot or simulated sample ballot referred to in subdivision (a) shall bear any official seal or the insignia of any public entity, nor shall that seal or insignia appear upon the envelope in which it is mailed or otherwise delivered. The Superior Court, in any case brought before it by a registered voter, may issue a temporary or permanent restraining order or injunction against the publication, printing, circulation, posting, or distribution of any matter in violation of this section, and all cases of this nature shall be in a preferred position for purposes of trial and appeal, so as to assure the speedy disposition thereof.

**EC Sec. 16. Literature Requirements.**

A copy of Section 84305 of the Government Code shall be provided by the elections official to each candidate or his or her agent at the time of filing the declaration of candidacy and to the proponents of a local initiative or referendum at the time of filing the petitions.

**EC Sec. 18301. Printing of Simulated Sample Ballots.**

In addition to any other penalty, any person who prints or otherwise duplicates, or causes to be printed or duplicated, a simulated ballot or simulated sample ballot that does not contain the statement required by Section 20009 or that uses an official seal or insignia in violation thereof, is guilty of a misdemeanor.

**EC Sec. 18302. Distribution of Precinct Polling Place Information.**

Every person is guilty of a misdemeanor who knowingly causes to be mailed or distributed, or knowingly mails or distributes, literature to any voter that includes a designation of the voter's precinct polling place other than a precinct polling place listed for that voter in an official precinct polling list that constituted the latest official precinct polling list at sometime not more than 30 days prior to such mailing or distribution.

**EC Sec. 20202. Authorization To Use Candidate or Committee Name.**

It is unlawful for any person who solicits funds for the purpose of supporting or promoting any candidates or committees to include in any part of its name the name of that candidate or committee unless that person shall have previously obtained the authorization of the candidate or committee or the candidate's or committee's designated agent to use the candidate's or committee's name in the name of that person.

Authorization by a candidate or committee shall not be construed as rendering the person soliciting funds a controlled committee as defined by Section 82016 of the Government Code.

**EC Sec. 20203. Notice of Non-authorization To Be Included In Fundraising Communication.**

Any person who solicits or receives contributions on behalf of any candidate or committee for the purported and exclusive use of that committee or the candidate's election campaign and who is not authorized by the candidate or committee or the candidate's or committee's designated agent to do so, shall include a notice in any fundraising communication, whether through any broadcasting station, newspaper, magazine, printed literature, direct mailing, or any other type of general public advertising, or through telephone or individual oral fundraising appeal, clearly and conspicuously stating that the person is not authorized by the candidate or committee and that the candidate or committee is not responsible for the actions of that person.

**EC Sec. 18576. Willful Interference With Return Of Absent Voter Ballot Application.**

Any person who willfully (a) interferes with the prompt delivery of a completed absent voter ballot application, (b) retains a completed absent voter ballot application, without the voter's authorization, for more than three days excluding weekends and state holidays, or by the deadline for return of absent voters' ballot applications, whichever is earlier, or (c) denies an applicant the right to return his or her own completed absent voter ballot application to the local elections official having jurisdiction over the election, is guilty of a misdemeanor.

**RESOURCES**

**CITY OF GRASS VALLEY CITY CLERK'S OFFICE**  
(530) 274-4700

Contact the City Clerk's Office for information regarding the nomination process or any information listed in this handbook.

Web Site: [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com)  
info@cityofgrassvalley.com

### **NEVADA COUNTY ELECTIONS OFFICE**

(530) 265-1298

Toll-free at 1-888-395-1298 from Lake of the Pines or Truckee within Nevada County

Fax (530) 265-9829

Web Site: [www.mynevadacounty.com/695/Registrar-of-Voters](http://www.mynevadacounty.com/695/Registrar-of-Voters)

Contact the Election Office for information regarding the nomination process or any information listed in this handbook.

### **FAIR POLITICAL PRACTICES COMMISSION**

1) Advice line - toll-free 1-866-275-3772

2) General line – 916-322-5660

Fax (916) 322-0886

Web Site: <http://www.fppc.ca.gov>

Contact the Technical Assistance Division for information concerning Campaign Disclosure, Conflict of Interest Disclosure and state contribution limits.

### **3) FPPC Legal Division**

For questions Concerning: Conflict of Interest Disqualification or Proper use of Campaign Funds. [Complaint@fppc.ca.gov](mailto:Complaint@fppc.ca.gov)

### **4) FPPC Enforcement Division**

Contact the Enforcement Division for information concerning how to file a complaint under the Political Reform Act. [Complaint@fppc.ca.gov](mailto:Complaint@fppc.ca.gov)

### **STATE FRANCHISE TAX BOARD**

Customer Service: (800) 852-5711

Automated Service: (800) 338-0505

Web Site: <http://www.ftb.ca.gov>

Contact the Franchise Tax Board for information concerning Committee tax status, tax deductible contributions, charitable non-profit groups or any other tax-related question.

### **SECRETARY OF STATE (SOS)**

1) Political Reform Division (916) 653-6224

Fax (916) 653-5045

Web Site: <http://www.sos.ca.gov/campaign-lobbying/about-political-reform-division/>

Contact the Political Reform Division for information concerning Forms 501 or Form 410, political reform, Campaign Committee ID numbers and termination of Campaign Committees.

### **2) SOS Elections Division (916) 657-2166**

<http://www.sos.ca.gov/elections/>

Contact the Elections Division for information concerning the Elections Code and Statewide Elections Results.

## **CANDIDATE'S ELECTION CALENDAR**

\* Indicates date falls on a weekend or holiday, and is extended until the next business day

July 13 to August 7 (E-113 to E-88)

**CANDIDATE FILING PERIOD**

Nomination Papers for Municipal Offices

Nomination Documents must be obtained from and filed with the City Clerk. (EC 10220 – 10224; 10227)

July 13 to August 7 (E-113 to E-88)

**CANDIDATE STATEMENTS**

Candidates who wish their statements included in the voters pamphlet shall file statements at the time they file Nomination Papers or Declarations of Candidacy. (EC 13307) Candidates' statements are confidential until the expiration of the filing deadline. (EC 13311)

August 7 (E-88)

**CANDIDATE NOMINATION PERIOD DEADLINE**

Deadline for candidates to file Nomination Papers and/or Declarations of Candidacy. (EC 10407) This is also the last day for candidates to withdraw Nomination Papers or Declarations of Candidacy. If the nomination period extends due to an incumbent's failure to file, see item at E-83.

August 8 – August 12 (E-87 to E-83)

**NOMINATION PERIOD: EXTENSION**

If an incumbent member of the city does not file a Declaration of Candidacy by 5 p.m. on E-88 (August 7), any person other than the incumbent may file a Declaration of Candidacy by 5 p.m. on August 12. This provision does not apply if there is no incumbent eligible to be elected.

\*August 12

**WITHDRAWING CANDIDATE STATEMENT**

Deadline for withdrawing a Candidate Statement. (EC 13307) Ten-day public examination period for a Candidate Statement is August 8 through August 12 (In the case of an office where filing is extended until August 15 because the incumbent did not file, the deadline to withdraw a candidates' statement will be August 12 and the public examination period will be August 8 through August 17.)

November 3 (E-Day)

**ELECTION DAY**

**FPPC ELECTION FILING SCHEDULE**

**Candidates for Local Office  
November 3, 2020 Election**

Deadline	Period	Form	Notes
July 31, 2020 <i>Semi-Annual</i>	Thru- 6/30/2020	<u>460</u>	<ul style="list-style-type: none"> <li>All committees must file Form 460</li> </ul>
Within 24 Hours Contribution Reports	8/5/2020- 11/3/2020	497	<ul style="list-style-type: none"> <li>File if a contribution of \$1000 or more in the aggregate is received from a single source.</li> <li>File if a contribution of \$1000 or more in aggregate is made to another candidate or measure being voted upon November 3, 2020</li> <li>The recipient of a non-monetary contribution of \$1000 or more must file a Form 497 within 48 hours from the time the contribution is received.</li> <li>File by personal delivery, e-mail, guaranteed overnight service, fax or online if available.</li> </ul>
Sept. 24, 2020  1 <sup>st</sup> Pre-Election	7/1/2020- 9/19/2020  9/19/2020	460 or 470  460	<p>Each candidate listed on the ballot must file Form 460 or Form 470 (see below)</p> <p>All committees must file this report. Paper copies must be filed by personal delivery or guaranteed overnight service only.</p>
Oct. 22, 2020 2 <sup>nd</sup> Pre-Election	9/20/2020- 10/17/2020	460	<ul style="list-style-type: none"> <li>All committees must file Form 460</li> <li>File by personal delivery, guaranteed overnight service or online, if available.</li> </ul>
February 1, 2021 Semi-Annual	10/17/2020 - 12/31/2020	460	<ul style="list-style-type: none"> <li>All Committees must file Form 460 unless the committee filed termination Forms 410 and 460 before December 31, 2020</li> </ul>

**Additional Notes:**

- **Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **Local Ordinance:** Always check on whether additional local rules apply.
- **Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to the deadline for a Form 497 due the weekend before the election, or to any Form 496. Such reports must be filed within 24 hours regardless of the day of the week. Statements filed after the deadline are subject to a \$10 per day late fine.
- **Method of Delivery:** All paper filings may be filed by first class mail unless otherwise noted. A paper copy of a report may not be required if a local agency requires online filing pursuant to a local ordinance.
- **Form 501:** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions. Fair Political Practices Commission Page 2 of 2 California
- **Form 460:** Candidates who have raised/spent \$2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent.

- **Form 470:** Candidates who do not raise or spend \$2,000 or more (or anticipate raising or spending \$2,000 or more) in 2018 and do not have an open committee may file Form 470 on or before September 27, 2018. If, later during the calendar year, a campaign committee must be opened, a Form 470 Supplement and a Form 410 must be filed.
- **After the Election:** Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See Campaign Disclosure Manual 2 for additional information.
- **Public Documents:** All forms are public documents. Campaign manuals and instructional materials are available at [www.fppc.ca.gov](http://www.fppc.ca.gov). Click on Learn, then Campaign Rules.
- **Independent Expenditures:** Committees making independent expenditures totaling \$1,000 or more to support or oppose other candidates or ballot measures also file form 462 found on the FPPC website [www.fppc.ca.gov](http://www.fppc.ca.gov). This form must be e-mailed to the FPPC within 10 days. Form 496 found on the FPPC website [www.fppc.ca.gov](http://www.fppc.ca.gov): This form is due within 24 hours if made in the 90-day, 24-hour reporting period of the candidate's or measure's election. Refer to the applicable filing schedule. Form 496 is filed with the filing officer in the jurisdiction of the affected candidate or measure.