County of Sacramento
Voter Registration and Elections

Guide to Recall
Local Officials Procedures
May 2024

PREFACE

Disclaimer

The materials and information provided is for general information purposes. The information is not legal advice, and the Sacramento County Registrar of Voters is unable to provide you legal advice. This guide does not have the force and effect of law. Because legal advice is dependent on the specific circumstances of each situation and can only be provided by legal counsel, it is your responsibility to determine whether the information provided applies to a specific situation and to seek legal counsel for assistance. Moreover, the information contained herein is not guaranteed to be up to date. If you have questions that do not require providing you with legal advice, we encourage you to contact us as soon as possible so that we can assist you.

All references contained in this guide are to the California Elections Code unless otherwise stated.

Registrar of Voters
County of Sacramento

TABLE OF CONTENTS

General Information and City Contacts 1
Introduction 2-4
Starting the Recall 5-7
Building the Petition 8-11
Signature Requirements and Circulation Deadlines 12-13
Collecting Signatures 14-16
Filing the Recall Petition 17
Verification of Petition Signatures 17
Certifying Results of Signature Verification 18
Resignation of Officeholder 19
The Recall Election 19-22
The Aftermath 23
Word Count Guidelines 23-24
Campaign Disclosure Statement Requirements 25
Appendix A – Sample Recall Timeline 26
Appendix B - Notice of Intention to Circulate Recall Petition 27
Appendix C - Proof of Personal Service 28
Appendix D - Proof of Service by Certified Mail 29
Appendix E – Sample Petition for Recall (With Official Top Funders) 30
Appendix F – Sample Petition for Recall (Excluding Official Top Funders) 31
Appendix G- Sample Petition for Recall (With No Official Top Funders) 32

GENERAL INFORMATION AND CITY CONTACTS

The California Constitution defines recall as, "The power of the electors to remove an elective officer." Neither the California Constitution nor the Elections Code says under what circumstances recall is justified. Instead, it says that the reason is not reviewable.

This guide covers recall of local officeholders. A “local officer” is an elected officer of a county, school district, community college district, or special district, or a judge of a trial court (Superior Court).

California law can be found online at http://leginfo.legislature.ca.gov/. Attachments in this guide that contain examples of forms are available in word format from the Registrar upon request.

For recall of city officeholders, please contact the City Clerk of that city.

City of Citrus Heights 6360 Fountain Square Drive Citrus Heights, CA 95621	(916) 725-2448 City of Citrus Heights Website
City of Elk Grove 8401 Laguna Palms Way Elk Grove, CA 95758	(916) 478-2286 City of Elk Grove Website
City of Folsom 50 Natoma Street Folsom, CA 95630	(916) 461-6000 City of Folsom Website
City of Galt 380 Civic Drive Galt, CA 95632	(209) 366-7130 City of Galt Website
City of Isleton 101 2nd Street Isleton, CA 95641	(916) 777-7770 City of Isleton Website
City of Rancho Cordova 2729 Prospect Park Drive Rancho Cordova, CA 95670	(916) 851-8700 City of Rancho Cordova Website
City of Sacramento 915 I Street, 5th Floor Sacramento, CA 95814	(916) 808-7200 City of Sacramento Website

More information on how to recall a local office holder can be found in the Secretary of State’s, *Procedure for Recalling State and Local Officials* guide (available here: https://elections.cdn.sos.ca.gov/recalls/recall- procedures-guide.pdf), and California Elections Code (EC §§), sections 11000-11386.

We strongly suggest that all parties involved in a recall seek legal counsel.

INTRODUCTION

RECALL

Recall is the power of the voters to remove elected officials before their terms expire. It has been a fundamental part of our governmental system since 1911 and has been used by voters to express their dissatisfaction with their elected representatives.

Use of this Guide

This guide is intended to provide basic, useful facts about the recall process for county, school district, community college district, special district, and judge of a trial court (Superior Court) elected offices. Elections Code §§ 11001, 11004

For recall of city officeholders, contact the City Clerk of that city's office.

For recall of state officeholders, see the "Procedure for Recall of State and Local Officials" published by the Office of the Secretary of State.

This guide should be used in conjunction with the applicable sections of the California Elections Code, Government Code, United States Constitution, California Constitution, Sacramento County Charter and other relevant references.

Except as otherwise specified, references to the number of days means calendar days, as in "…the incumbent's answer to the notice of intention to recall, is due within seven (calendar) days after the filing of the Notice of Intention by the proponents."

Terms Used in this Guide

For the purposes of recall of local officers, the term **"Clerk"** refers to:

1.) The county elections official in the case of the recall of elective officers of a county, school district, county board of education, community college district, resident voting district, and judges of trial courts (Superior Court);

2.) The city elections official, including, but not necessarily limited to, a city clerk in the case of the recall of elective officers of a city;

3.) The secretary of the governing board in the case of the recall of elective officers of a landowner voting district or any district in which, at a regular election, candidate's nomination papers are filed with the secretary of the governing board. Elections Code §§ 307, 11002

"Incumbent" refers to officeholder or elected officer.
"Governing board" includes a city council, the board of supervisors of a county, the board of trustees of a school district or community college district, or the legislative body of a special district. In the case of the recall of a trial court judge, "governing board" means the board of supervisors. Elections Code § 11003

“Proponents” of a recall are those individuals who initiate the recall action. Proponents of a recall must be registered voters in the electoral jurisdiction of the officer they seek to recall.
Elections Code § 11005

“Electoral jurisdiction” means the area within which the voters reside who are qualified to vote for the officer sought to be recalled. Elections Code § 322

What is Recall and What Circumstances Justify It?

The California Constitution defines recall as “the power of the electors to remove an elective officer.” (Article II, Section 13) Neither the California Constitution nor the Elections Code says under what circumstances recall is justified. Instead, the California Constitution says, in connection with recalls of state officers, “Sufficiency of reason is not reviewable.” (Article II, Section 14) The only language in the Elections Code that has any bearing on this is in Elections Code 11024. Referring to the proponents’ statement of reasons for the recall and the incumbent’s answer, it states that, “the statement and answer are intended solely for the information of the voters. No insufficiency in form or substance thereof shall affect the validity of the election proceedings.”

Article II, Section 19 of the California Constitution states, “The Legislature shall provide for recall of local officers.” This section does not affect counties and cities whose charters provide for recall.

Who Can be Recalled?

Any elective officer including any officer appointed in lieu of an election or to fill a vacancy.
Elections Code § 11006

Circumstances Under Which a Recall is Prohibited

A recall may not be commenced if any of these apply:

4.) The incumbent has not held office during his or her current term for more than 90 days.

- The exception to this is Sacramento County officeholders; Board of Supervisors, Assessor, District Attorney, Sheriff, Superior Court Judges and County Board of Education. Article XVII, Section 74 of the Sacramento County Charter states that “The holder of any elective office may be recalled, in the manner provided by law, by the electors after he has held office six months.”

5.) A recall election has been decided in the incumbent’s favor within the last six months.

6.) The incumbent’s term of office ends within six months or less. Elections Code § 11007

Who Conducts the Recall Election?

The County Elections Official (i.e. the County Clerk or Registrar of Voters).

In the event, however, that the County Elections Official is the incumbent whose recall is being sought (not applicable in Sacramento County), then the duties imposed upon him or her shall be performed by some other person designated by the Board of Supervisors.
Elections Code §§ 11002, 11201

Who Can Initiate a Recall?

Any qualified elector may initiate a recall. A qualified elector is defined as being a registered voter of the jurisdiction and eligible to vote on the office of the incumbent whose recall is sought.
Elections Code C §§ 321, 322, 11005

Separate Recall Process for Each Incumbent

Each recall is a separate process and requires successful completion of the steps required by law. If, for example, there are three separate incumbents to be recalled, there must be three each of the following:

7.) Notice of Intention

8.) Affidavit of Time and Manner of Service (Proof of Personal Service/ Proof of Service by Certified Mail)

9.) Affidavit of Proof of Publication of the Notice of Intention

10.) Set of Two Blank Copies of the Proposed Recall Petition format

11.) Recall Petition

Any error in following any of the steps in connection with a particular recall may require that some or all steps taken up to that point be done over. Again, recall proponents may wish to consult an attorney to help them avoid such errors.

When multiple recalls (more than 1 member of a governing board) are underway, petition circulators typically will be circulating multiple petitions, and requesting voters to sign each of however many petitions are involved. Not all voters will choose to sign each petition, with the result that when the petitions are filed with the Office of the County Elections Official, the total number of signatures submitted for each recall petition will vary.

Cost of a Recall

The cost of a recall election is charged to the government agency whose officeholders are sought to be recalled. An authorized District representative should contact the County Elections Official for an estimate of the cost. If the recall election can be consolidated with a regularly scheduled election or another special election, the cost may be considerably reduced.

STARTING THE RECALL

Preparing the Notice of Intention

The initial step for proponents interested in the recall of an elected officeholder is the preparing of a Notice of Intention. The Notice of Intention consists of the following:

The name and title of the officer sought to be recalled.

A statement, not exceeding 200 words in length, of the reasons for the proposed recall.

The printed name, signature, and residence address, including street and number, city, and ZIP Code, of each of the proponents of the recall. If a proponent cannot receive mail at the residence address, the proponent shall provide an alternative mailing address. The notice of intention shall include at least the number of proponents specified in subdivision (b)

For a state office, and for a local office where the number of registered voters in the electoral jurisdiction is at least 100,000, the minimum number of proponents listed on the notice of intention is 50, or equal to five times the number of signatures required to have been filed on the nomination paper of the officer sought to be recalled, whichever is higher.

For a local office where the number of registered voters in the electoral jurisdiction is at least 1,000 but less than 100,000, the minimum number of proponents listed on the notice of intention is 30, or equal to three times the number of signatures required to have been filed on the nomination paper of the officer sought to be recalled, whichever is higher.

For a local office where the number of registered voters in the electoral jurisdiction is less than 1,000, the minimum number of proponents listed on the notice of intention is 30.

The language contained in Elections Code 11023 informing the incumbent of his or her right to file an answer. Elections Code § 11020

The minimum number of proponents required to sign the Notice of Intention is ten (10) or equal to the number of signatures required to be filed on the nomination petition for the office of the incumbent whose recall is being sought, whichever is higher. Elections Code § 11020

For example, in the case of a county elected office, the minimum number of signatures required on a nomination petition is 20, hence the minimum number of proponents required to sign the Notice of Intention is 20. Elections Code § 8062(a)(3)

All proponents of a recall must be registered voters of the electoral jurisdiction of the officeholder they seek to recall. Elections Code § 11005

Serving the Notice on the Incumbent

A *copy* of the Notice of Intention must be served on the incumbent sought to be recalled by personal delivery or by certified mail. If serving by certified mail, recall proponents are advised to obtain from the Office of the County Elections Official the incumbent's most current and correct mailing address, as listed on the incumbent's voter registration record. Elections Code § 11021

Filing the Notice and Proof of Service

The *original* Notice of Intention must be filed with the Office of the County Elections Official within seven (7) calendar days of the incumbent having been served, along with an affidavit of time and manner of service.

A separate Notice of Intention shall be filed for each incumbent sought to be recalled.

The affidavit of Proof of Service by Certified Mail attests to the date the Notice of Intention was mailed, the name of the incumbent sought to be recalled and his or her mailing address.

Note to elections official: It is recommended that on the day a Notice of Intention and affidavit of service are filed, that you immediately (1) notify the incumbent(s) sought to be recalled of the filings, (2) communicate to the incumbent the seven (7) calendar day deadline for filing an answer and (3) offer to provide the incumbent a copy of the filing.

Publishing the Notice of Intention

Proponents are also required to publish, at their expense, the Notice of Intention at least once in a newspaper of general circulation serving the jurisdiction of the incumbent whose recall is being sought. The publication need not include the answer to the Notice of Intention which incumbents who are the subjects of recall are permitted to file. Elections Code § 11022; GOV §§ 6000, et.seq.

Obtain and File Proof of Publication

Although there is no timeframe specified for publication, the proof of publication is required to be filed at the time two (2) blank copies of the petition are filed. Proponents must request and obtain from the newspaper a signed affidavit proving publication. Elections Code § 11042

Incumbent's Answer to Notice of Intention

The incumbent has the right to provide a response to the Statement of Reasons contained in the proponents' Notice of Intention, should he or she choose to do so.

- The response is limited to 200 words.
- Must be filed with the Office of the County Elections Official within seven (7) calendar days after the filing of the Notice of Intention by the proponents.
- It must be signed, and shall be accompanied by the incumbent's printed name and business or residence address.

Within that *same* seven (7) calendar day period, the incumbent shall also serve a copy of his or her response on one of the proponents named in the Notice of Intention. Service is to be by personal delivery or certified mail. Elections Code § 11023

Note to proponents: In the event the incumbent's answer is not received by any proponent, contact the County Elections Official since the incumbent's answer must also be filed at the County Elections Office by the same deadline. It is the proponents' responsibility to verify with

the County Elections Official whether or not an answer has been filed, prior to proceeding to the next step in the recall process.

Note to elections official: The statement and answer are intended solely for the information of the voters. No insufficiency in form or substance of the statement or the answer shall affect the validity of the election proceedings.
This section shall not be deemed to make the statement and answer, or the authors of the statement or answer, free or exempt from any civil or criminal action or penalty because of any false, slanderous, or libelous material included in the statement or answer. Elections Code § 11024

Campaign Finance Reporting

Both recall proponents who organize to qualify a recall for the ballot, and those who organize to oppose such a recall effort will have campaign disclosure and filing obligations under state law. See page 19 - 20 and page 25 for additional information.

BUILDING THE PETITION

Overview

The language and design of the recall petition are strictly controlled by the Elections Code.
Elections Code §§ 100, 100.5, 11040, 11041, 11043, 11043.5, 11046

Important: Before proceeding with circulation of any recall petition, proponents are required to create and file two (2) blank copies of their petition's design and format with the Office of the County Elections Official for review and approval as to whether the petition conforms to the requirements of the Elections Code. Elections Code § 11042

Format of the Recall Petition

IMPORTANT!!!
The recall petition format provided by the Secretary of State or the County Elections Official is **mandatory** and **must be used**. Elections Code §§ 11041, 11043.5

The recall petition may consist of any number of separate sections, which must be duplicates except as to signatures and matters required to be affixed by signers and circulators. The number of signatures attached to each section is left up to the discretion of the person soliciting the signatures. Each section may consist of any number of separate pages. A page shall consist of each side of a sheet of paper on which any signatures appear. Elections Code § 11040

Note to proponents: It is recommended that everything be placed on one side of the paper.

Heading:

i.) A margin at least one inch wide shall be left blank across the top of each page and a margin at least one-half inch wide shall be left blank along the bottom of each page.
Elections Code §§ 100, 11043

ii.) All petition sections must be printed in uniform size and darkness with uniform spacing.
Elections Code § 11041

iii.) On each page, in no less than 8 - point type font, there must appear:

1.) Language requesting that an election be called to elect a successor.

2.) Copy of the Notice of Intention, including the statement of grounds for the recall.

Note to proponents: The Notice of Intention to appear on the petition must be identical to that which was published, with the exception of the language related to the incumbent's right to file an answer. Elections Code § 11022

3.) The names of at least at least 10 recall proponents that appear on the notice of intention. (signatures and addresses do not need to be included). Elections Code § 11041(2)

4.) The incumbent's answer, if any, to the Notice of Intention. If no answer was filed, the petition shall so state.

5.) For a recall of a member of the governing board of a school district, the estimate of the county elections official, in consultation with the school district, of the cost of conducting the special election. Elections Code § 11041

Official Top Funders Disclosure Requirements:

For any recall 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.

(Elections Code § 107 (b)).
Elections officials are not required to verify the accuracy of the information or to reapprove the petition upon any updates the committee makes Elections Code. § 107(g)

Signature Space:

Notwithstanding any other provision of law, any state or local recall petition required to be signed by voters shall contain in 11- point type, prior to that portion of the petition for voters' signatures, printed names, and residence addresses, the following language:

Elections Code § 101

"NOTICE TO THE PUBLIC" This text shall be in a boldface font

If the petition includes the disclosure statement described by subdivision (b) of Section 107, the text: **"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 text shall be in a boldface type.

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK." This text shall be in a non-boldface type. Elections Code § 101

Immediately above the signature spaces(s) shall be the following statement:

"Each of the undersigned states for himself/herself that he or she is a registered and qualified elector of the [insert name of electoral jurisdiction, i.e. ABC School District, Area 1] of [insert name of geographical location, i.e. County of Sacramento], California."

Note to proponents: If the circulation of the recall petition is paid for by a committee refer to "Procedure for Recall of State and Local Officials" published by the Office of the Secretary of State **Note to proponents: When a petition is circulated in more than one county, each section of the petition shall bear the name of the county in which it's circulated, and only registered voters**

of that county may sign that section. Elections Code § 11047

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

1. Printed name;
2. Signature;
3. Residence address, giving street and number, or if no street or number exists, adequate designation of residence so that the location may be readily determined;
4. The name of incorporated city or unincorporated community Elections Code § 11043
5. If the petition does not include the disclosure statement described by subdivision (b) of Section 107, the following text on a separate horizontal line below the signer's printed name and above the signer's signature: "DO NOT SIGN UNLESS you have seen Official Top Funders sheet and its month is still valid." The text "DO NOT SIGN UNLESS" shall be in all capitals and in boldface. The other text shall be capitalized as shown and shall not be in boldface.

Pursuant to the California Supreme Court's decision in Assembly v. Deukmejian (1982) 30 Cal.3d 638, 180 Cal.Rptr. 297, the petition form must direct signers to include their "residence address" rather than "address as registered" or other address. Noncomplying petition forms will be rejected as invalid.

Signature spaces must be consecutively numbered commencing with the number one (1) for each petition section. Elections Code § 100

A space at least one inch wide shall be left blank to the right of each name and address for the use of the County Elections Official in verifying the petition. Elections Code §§ 100, 11043

Declaration of Circulator:

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.) The printed name of the circulator;

2.) The residence address of the circulator, giving street and number, or if no street or number exists, adequate designation of residence so that the location may be readily determined; and

3.) The dates between which all signatures to the petition were obtained.

The declaration must also include:

1.) that the circulator circulated that section and witnessed the appended signatures being written;

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

3.) that the circulator is 18 years of age; or older

4.) the circulator shall certify the content of the declaration as to its truth and correctness, under penalty of perjury under the laws of the State of California, with the signature of his or her name at length, including given name, middle name or initial, or initial and middle name. The circulator shall state the date and the place of execution on the declaration immediately preceding his or her signature. Elections Code §§ 104, 11046

Filing of Blank Copies of Proposed Petition and Proof of Publication

Two blank copies of the recall petition shall be filed with the Office of the County Elections Official within ten (10) calendar days after the filing of the incumbent's answer, to the Notice of Intention, if any. If no answer is filed, the copies are due within ten (10) calendar days after the deadline for the incumbent to file an answer. Elections Code § 11042

At the time of the filing of the two blank copies of the petition, the proponents shall also file proof of publication of the notice of intention. Elections Code § 11042

Review and Approval of Petition Format

The County Elections Official shall review the two blank copies of the petition format within ten (10) calendar days and notify the proponents in writing that the petition is either approved for circulation or requires modification.

The submitted blank copies of the petition will be carefully reviewed for correctness and will be compared to the Notice of Intention, publication and answer of incumbent, if any, to assure accuracy in text, punctuation, capitalization, spelling, etc. If the comparison discloses discrepancies, the petition will be returned. The Elections Official shall notify the proponents in writing as to what alterations in the petition are necessary. Elections Code § 11042

If changes are necessary, proponents have ten (10) calendar days to file two blank copies of the corrected petition with the Office of the County Elections Official. This process shall be repeated until no further alterations are necessary. Elections Code § 11042

SIGNATURE REQUIREMENTS AND CIRCULATION DEADLINES

When Circulation of the Recall Petition May Begin

No signatures may be obtained on the recall petition until the form and wording of the recall petition has been approved by the County Elections Official as meeting the requirements of the Elections Code. The time period available for circulating the petition is measured from when the Elections Official notifies the proponents in writing that the petition meets the form and wording requirements. Elections Code §§ 11042(d), 11220(a)

Number of Days to Circulate Petition

The circulation period of a recall petition is based on a sliding scale using the number of registered voters in the electoral jurisdiction eligible to vote on the office of the incumbent subject to recall, as follows: Elections Code § 11220

Registration Number	Number of Calendar Days to Circulate
Under 1,000	40
1,000 - 4,999	60
5,000 - 9,999	90
10,000 - 49,999	120
50,000 and above	160

If the electoral jurisdiction extends into another county or counties, the registration figures of those counties will be included in the computation.

The number of registered voters shall be determined using the last official report of registration by the County Elections Official to the Secretary of State prior to the approval of the petition for circulation. Elections Code § 11221(b)

Number of Signatures Required

In the case of an officer of a city, county, school district, community college district, county board of education, or resident voting district, the number of signatures shall be equal in number to not less than the following percent of the registered voters in the electoral jurisdiction:
Elections Code § 11221(a)

Registration Number	Signatures Required (as % of total registered)
Under 1,000	30%
1,000 - 9,999	25%
10,000 - 49,999	20%
50,000 - 99,999	15%
100,000 and above	10%

If the electoral jurisdiction extends into another county or counties, the registration figures of those counties will be included in the computation.

The number of registered voters shall be determined using the last official report of registration by the County Elections Official to the Secretary of State prior to the approval of the petition for circulation. Elections Code § 2187

If a Judge of a Superior Court is sought to be recalled, the number of valid signatures must be equal in number to at least twenty percent (20%) of the last vote for the office. If the office has not appeared on the ballot since its creation or did not appear at its last regularly scheduled date, the number of signatures must be equal in number to at least twenty percent (20%) of the votes cast within the jurisdiction for the "countywide office" which had the least number of votes in the most recent general election in the county in which the judge holds his or her office. (Ca. Const., Article 2, Section 14) Elections Code § 11221

Withdrawal of Signature from Petitions

Any voter who has signed a recall petition who wishes to have his or her signature withdrawn from the petition may file a written request with the Office of the County Elections Official prior to the day the petition is filed. Elections Code §§ 103, 11303

The written request must identify the name or title of the recall petition, and contain the person's name, residence address and signature.

Note: The County Elections Official will have no way of knowing for sure when the proponents will choose to file the recall petitions. Consequently, the Elections Official will not be able to advise persons who wish to withdraw their signatures as to any "deadline" for filing their requests; other than the fact that the request must be received no later than the day before the petition is filed.

COLLECTING SIGNATURES

Who Can Circulate a Recall Petition?

A person who is 18 years of age or older. Elections Code §§ 102, 104, 11045

Who Can Sign a Recall Petition?

Only registered voters in the electoral jurisdiction who are qualified to vote on the office held by the incumbent whose recall is sought. Each signer must personally print and sign his or her name and residence address, giving street and number and, if no street or number exists, then a designation of the place of residence which will enable the location to be readily ascertained.
Elections Code §§ 100, 322, 11045

If a local jurisdiction includes portions of more than one county, each section of the petition must include the name of the county in which it is circulated, and only registered voters of that county may sign that section of the petition. Elections Code § 11047

Registering or Re-Registering Potential Signers

For potential signers who are not currently registered to vote, or those who are registered but have since moved, a newly completed voter registration card will ensure his or her signature on a recall petition can be counted as valid. The new registration card must be signed on the same date or, a date prior to the date of signing the petition. The registration card must be received by the Office of the County Elections Official on or before the date the petition is filed. Elections Code § 2102(b)

Circulator Must Complete and Sign Declaration of Circulator

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

i. the printed name of the circulator;
ii. the 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;
iii. the dates between which all signatures to the petition were obtained.
Elections Code §§ 104, 11046

Including a "Cushion" to Allow for Invalid Signatures

Proponents need to allow for invalid signatures by including extra signatures above and beyond the minimum needed to qualify the petition.

Causes of Invalid Signatures

Signatures that appear on the petition may be determined to be invalid for a number of reasons. Some of the most common are listed below:

1.) The signer is not eligible to vote on the office held by the incumbent whose recall is being

sought.

2.) The signer has moved since last registering to vote and failed to re- register.

3.) The signer writes in a mailing or business address as his or her address of residence.

4.) The signer signs the petition more than once. Only the first signature encountered during verification will count; moreover, any duplicate signatures found in the "random sample" are penalized under the sufficiency formula. See page 15.

5.) The residence address appearing on the petition was "pre-printed" and not written in personally by the signer.

6.) The signer's signature does not appear to match that on the voter registration card on file with the Office of the County Elections Official. Elections Code §§ 100, 105

Certain defects in the declaration of the circulator, such as failure of the circulator to sign the declaration may invalidate all signatures appearing on that section. Recall proponents should advise their circulators of the importance of fully and accurately completing the declaration. Elections Code §§ 104, 11046

Circulators should be advised that under no circumstances should they make any changes or "corrections" in the signatures or addresses that the voters have written on the petition.

In verifying petitions, The County Elections Official may use the most current version of the Secretary of State's "Official Petition Verification Guidelines".

Legibility of Signatures

To ensure that signatures are readable, use a firm writing surface beneath the petition page being signed, and ballpoint pens. Do not use felt tip markers. If circulating recall petitions against multiple officeholders, it is suggested printing the recall petitions on lightly tinted colored paper with a different color for each officeholder.

Circulation of Recall Petitions on Private Property

Petition circulators often seek to circulate petitions at shopping centers and other private property. With shopping centers being private property, the courts have had to balance the private property rights of the shopping center owners against the free speech and petition rights of petition circulators.

Both supporters and opponents of a recall are advised to contact the property manager or owner to plan, in advance of circulating petitions, and to seek legal counsel when issues arise as to their free speech and petitioning rights at shopping centers or private property.

Penal Provisions

The following are selected penal provisions relating to circulation of recall petitions.
Elections Code §§ 18600 et seq. Provisions Relating to Circulators

It is a misdemeanor for anyone circulating a recall petition to intentionally misrepresent or intentionally make a false statement concerning the contents, purport or effect of any petition to any person who signs, desires to sign, is requested to sign, or who makes inquiries with reference to it, or to whom it is presented for his or her signature. It is also a misdemeanor to willfully and knowingly circulate, publish, or exhibit any false statement or misrepresentation concerning the contents, purport or effect of any recall petition for the purpose of obtaining any signature to, or persuading influencing any person to sign, that petition.

Any person working for the proponents of a recall petition who refuses to allow a prospective signer to read the petition is guilty of a misdemeanor.

Every person who offers or gives money or other valuable consideration to another in exchange for his or her signature on a recall petition is guilty of a misdemeanor.

No one shall knowingly or willfully permit the list of signatures on a recall petition to be used for any purpose other than qualification of the recall question for the ballot. Violation is a misdemeanor.

Provisions Relating to Fraudulent Signatures

Every person who solicits any circulator to affix to a recall petition any false or forged signature, or to cause or permit a false or forged signature to be affixed, is guilty of a misdemeanor.

Anyone who circulates or causes to be circulated a recall petition knowing it to contain false, forged, or fictitious names, is punishable by a fine not exceeding$5,000 or by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both fine and imprisonment.

Every person who knowingly signs his or her name more than once to a recall petition or signs his or her name to that petition knowing himself or herself at the time of signing not to be qualified to sign it is guilty of a misdemeanor.

Every person who subscribes to any recall petition a fictitious name, or who subscribes thereto the name of another, or who causes another to subscribe such a name to that petition, is guilty of a felony and is punishable by imprisonment in the state prison for two, three, or four years.

Every person who files in the Office of the Elections Official any recall petition to which is attached any signature which the person filing the petition knows to be false or fraudulent or not the genuine signature of the person whose name it purports to be, is punishable by a fine not exceeding $5,000 or by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment.

Threats to Prevent Petition Circulation or Filing

Every person who threatens to commit an assault or battery on a person circulating a recall petition or on a relative of such a person or to inflict damage on the property of the circulator or relative, with the intent to dissuade the circulator from circulating the petition or in retribution for the circulation, is guilty of a misdemeanor.

FILING AND EXAMINATION OF PETITION

All sections of the recall petition shall be filed at the same time

No additional signatures may be filed or accepted after the initial filing. The petition sections shall be filed by the proponents or by any person or persons authorized in writing by a proponent. A copy of the written authorization must be included with the filing. Each section of the petition must be filed with the Elections Official in the jurisdiction for which it was circulated. If circulated in more than one county, it must be filed in the county for which it was circulated. Elections Code § 11222(a)

If the Elections Official determines that the number of signatures, prima facie, equals or is in excess of the minimum number of signatures required, the Election Official shall accept the petition filing. The petition shall be deemed as filed on that date. A section of the petition not so filed is void for all purposes. If the number, prima facie, does not equal or exceed the minimum number of signatures required, the petition will not be accepted for filing and will be returned to the proponents. Elections Code § 11222(b)

If the petition was circulated in more than one county, the Elections Official of each county shall affix, with the certificate showing the results of his or her examination, the number of registered voters of the county residing within the electoral jurisdiction of the officer sought to be recalled. Elections Code § 11223

VERIFICATION OF PETITION SIGNATURES

When proponents bring in the petition for filing, the Elections Official shall determine the total number of signatures. If, from this examination, the Elections Official determines that the number of signatures, prima facie, equals or is in excess of the minimum number of signatures required, the Elections Official shall accept the petition for filing. The petition shall be deemed as filed on that date. A section of the petition not so filed is void for all purposes. If, from the elections official's examination, the elections official determines that the number of signatures, prima facie, does not equal or exceed the minimum number of signatures required, the official shall not take further action. Elections Code § 11222

The Elections Official must verify every signature submitted or, where more than 500 signatures are submitted, may use the random sampling signature verification process allowed for Election Code § 11225 and in California Administrative Code Chapter 5, Article 3.

Except as provided in Election Code § 11225. The Elections Official shall complete within 30 days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, 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. Elections Code § 11224(a)

Upon completing the examination of the petition, the Elections Official shall attach to the petition a certificate showing the result of this examination and shall notify the proponents of either the sufficiency or insufficiency of the petition. Elections Code § 11224(c)

CERTIFYING RESULTS OF SIGNATURE VERIFICATION

Insufficient Number of Valid Signatures

If the certificate shows that the petition contains an insufficient number of valid signatures to qualify the recall for the ballot, no further action is taken and the petition remains on file. Elections Code § 11226

No insufficiency in a petition against any officer shall bar the later filing of a new petition against that officer. Elections Code § 11300

Sufficient Number of Valid Signatures

If the petition is found to have sufficient valid signatures to qualify the recall for the ballot, the Elections Official will immediately certify the results of the signature examination to the governing body for consideration at its next regular meeting. Elections Code §§ 11224, 11225, 11227

The certificate shall contain:

1. name of office whose recall sought;
2. title of his or her office;
3. number of signatures required by law;
4. total number of signatures on the petition;
5. number of valid signatures on the petition;
6. number of signatures that were disqualified.

Restrictions on Access to Recall Petitions

Some voters may have concerns about possible harassment if they sign initiative, referendum, or recall petitions. Recall petitions (and any memoranda prepared by the Election Officials in examining the petitions) are not deemed to be public records and are not open to inspection. There are two exceptions:

1. Employees of the Elections Office responsible for verifying the signatures; and

2. Recall proponents, should the petition be deemed insufficient and fail to qualify for the ballot. In that event, proponents have the right to examine those signatures found to be invalid and the reasons therefor. “Proponents” are those individuals listed on the Notice of Intention (or a person authorized in writing by the proponent). Any such examination shall begin within 21 days following certification of insufficiency. Elections Code § 11301; GOV § 6253.5

RESIGNATION OF OFFICEHOLDER

If a vacancy occurs in an office after a recall petition is filed against the vacating officer, the recall election shall nevertheless proceed. Except as described in paragraph (3) of subdivision
(b) Elections Code § 11302.

THE RECALL ELECTION

Calling the Election

Within 14 calendar days after the meeting at which the governing body received the certificate of sufficiency from the Elections Official, the governing body is to issue an order calling the election. Elections Code § 11240

If the governing body fails to act within those 14 calendar days, the Elections Official shall call for the election within five calendar days.

If the recall is to be voted on by voters in more than one county, the Elections Official of the county with the largest number of registered voters who will be voting in the election shall set the date in consultation with Elections Officials of the other counties. Elections Code § 11241

A recall election shall be conducted, canvassed, and the results declared in substantially the manner provided by law for a regular election for the office. One election is sufficient for the recall of several officers. Elections Code §§ 11328, 11329

The election shall be held not less than 88, nor more than 125, days from the date of the order. Elections Code § 11242

Note: If a regular or special election is to be held throughout the electoral jurisdiction of the incumbent sought to be recalled within this time period, the recall election shall be held on the same day, and consolidated with, the regular or special election. Elections Code § 11242

No election shall be held on any day other than a Tuesday, nor shall any election be held on the day before, the day of, or the day after a state holiday. Elections Code § 1100

Filing Requirements for Candidates

Once the recall election is called, there will be a nomination period for candidates to file for election to the office.

Exception: Although it is clear that trial court judges (Superior Court) are subject to recall, Article VI, Section 16 of the California Constitution creates some legal uncertainty as to whether the successor to a recalled judge is elected by the voters or appointed by the Governor. If it is the latter, obviously the need for a contest involving successor candidates is eliminated. It is, therefore, suggested that Elections Officials seek their own legal counsel to clarify this issue should it arise.

Nominations of candidates to succeed the recalled officer shall be made in the manner prescribed for nominating a candidate to that office in a regular election insofar as that procedure is consistent with this article. The following exception shall be made to that procedure; No person whose recall is being sought may be a candidate to succeed himself or herself at a recall election. Elections Code § 11381(b)

There shall not be an election for a successor in a recall of a local officer pursuant to Chapter 3 (commencing with Section 11200). If a majority of the votes on a recall proposal for a local officer are "Yes", the officer is removed and the office shall be vacant until it is filled according to law.
Elections Code § 11382

The incumbent may not be a candidate to succeed himself or any other member of the same governing board who is also the subject of recall, but he or she may submit a statement for publication in the County Voter Information Guide. Elections Code §§ 11327, 13307

Note: The nomination period for recall elections may very likely be shortened. For example, the election could be called to be held in the minimum of 88 days. Since the nomination period under any circumstances must close on the 75th day, the nomination period would consist of just 14 calendar days. Elections Code § 11381(b)

Nomination petitions may or may not be required of candidates, depending on the office held by the incumbent. The number of nominating signatures, if any, will be the same as required of candidates seeking that particular office in a regular election. Elections Code § 11381

Note: Check with the County Elections Official regarding what is required to be filed for the office.

Petition In-Lieu of Filing Fee

If there is a filing fee, petitions in-lieu of payment of that fee must be made available to candidates, who may circulate these petitions and gather signatures in lieu of paying all or a portion of the filing fee. Elections Code § 8106

Candidate Qualifications

In addition to filing nomination documents (declaration of candidacy and nomination petition, if required), some candidates have to provide documentation of their qualifications. In Sacramento County, these candidates would be: Assessor, District Attorney, Sheriff and Superior Court Judges.

Elections Code § 13.5Filing Fees

There are no filing fees for school or special district offices. Filing fees for County Supervisor and countywide office are 1% of the offices' annual salary.
Elections Code § 8104(b)

Candidate Statements

Candidate statements for publication in the County Voter Information Guide are optional. Statements are filed in accordance with the provisions of Elections Code 13307. The cost of statements in a recall election will be determined by the County Elections Official once the election has been called.

For candidates, the statement is due at the time his or her nomination documents (declaration of candidacy and nomination petition, if required) are filed.

Elections Code § 13307(a)(2)

The incumbent whose recall is being sought may also submit a statement for inclusion in the County Voter Information Guide. Elections Codes § 11327

Statements must be filed no later than 5 p.m. on the last day of candidate filing.
Elections Code § 13307

> *Note to Elections Official: Notify incumbent of his or her right to submit a statement and deadline for filing.*

All candidate and incumbent statements shall remain confidential until the close of the filing period at 5 p.m. on the last day of candidate filing.

Design of the Ballot

The following shall appear on the ballots at every recall election, except in the case of a landowner voting district, with respect to each officer sought to be recalled:

The question "Shall [name of officer sought to be recalled] be recalled (removed) from the office of [title of office]?"

To the right of the foregoing question, the words "Yes" and "No" on separate lines with an enclosed voting space to the right of each.

If the officer sought to be recalled holds a voter-nominated office, the officer may elect to have the officer's party preference identified on the ballot. The officer shall inform the Secretary of State whether the officer elects to have a party preference identified on the ballot by the deadline for the officer to file an answer with the Secretary of State pursuant to Section 11023. The Secretary of State shall disseminate this information to all appropriate county elections officials. The statement of party preference shall appear immediately to the right of and on the same line as the officer's name, or immediately below the officer's name if there is not sufficient space to the right of the officer's name, and shall appear in substantially the following form:

If the officer stated a political party preference on the officer's affidavit of registration, the statement shall read: "Party Preference: _____" (inserting the name of the qualified political party stated on the affidavit of registration.) The listed political party preference shall be the political party preference stated on the officer's affidavit of registration at the time the notice of intention is filed with the elections official pursuant to Section 11021
.
If the officer did not state a political party preference on the officer's affidavit of registration, the statement shall read: "Party Preference: None."

If the officer elects not to have the officer's political party preference identified on the ballot, or if the officer fails to inform the Secretary of State whether the officer elects to have a party preference identified on the ballot by the deadline for the officer to file an answer with the Secretary of State, the statement of party preference shall not appear on the ballot. Elections Code § 11320

In addition to the material contained in Section 11320, the following shall appear on ballots at all recall elections for state officers:

The names of the candidates nominated to succeed the officer sought to be recalled shall appear under each recall question.

Following each list of candidates, the ballot shall provide one blank line with a voting space to the right of it for the voter to write in a name not printed on the ballot. Elections Code § 11322

If there are multiple recalls that have qualified for the ballot, following the list of candidates to succeed to one office would be the recall question for the next office, and so on. Candidates will be listed in randomized alphabet order based upon a drawing of letters by the Secretary of State. In the case of candidates for countywide office, they will be listed in randomized alphabet order and then rotated in conformance with Elections Code §§ 13111(g), 13112.

County Voter Information Guide

The County Voter Information Guide shall include both the statement of reasons for the recall (from the Notice of Intention) and the incumbent's answer, if one was filed. The statement and answer shall be printed on the same page or on facing pages and shall be of equal prominence. If the recall of more than one incumbent is sought, the statement and answer for each shall be printed together and shall be clearly distinguished from those of any other officer. Elections Code § 11325

Majority Vote Required to Recall the Incumbent

Except as provided in Section 11382, if a majority of the votes on a recall proposal are "Yes", the officer sought to be recalled shall be removed from office upon the qualification of the officer's successor.
Elections Code § 11384

There shall not be an election for a successor in a recall of a local officer pursuant to Chapter 3 (commencing with Section 11200). If a majority of the votes on a recall proposal for a local officer are "Yes", the officer is removed and the office shall be vacant until it is filled according to law.
Elections Code § 11382

If one-half or more of the votes at a recall election are "No," the officer sought to be recalled shall continue in office. Elections Code § 11383

THE AFTERMATH

Repeating a Recall if the Incumbent is Not Recalled

If the recall election is conducted and the incumbent is not recalled, a new recall may not be commenced against the officer within six months of that election nor during the last six months of the officer's term of office. Elections Code § 11007

Right of the Recalled Incumbent to Run in Future Elections

A successful recall election applies only to the current office. There is nothing in the law to prevent a public official recalled in one election from running for the same or any other office in an election for a subsequent term of office.

WORD COUNT GUIDELINES

These are the guidelines utilized by the Elections Official in determining the number of words submitted on any document whose content is limited by statute. Pursuant to Elections Code Section 9, this section shall not apply to counting words for Ballot Designations.

Counting of words shall be as follows:

Punctuation: Punctuation IS NOT counted.

Proper Nouns: All proper nouns shall be counted as one word.
Example A: John Smith = one word

Geographical Names: All geographical names shall be counted as one word. Areas that have political boundaries with an elected or appointed board are considered geographic areas by this office.
Example A: County of Sacramento = one word
Example B: Twin Rivers Unified School District = one word

Abbreviations: Each abbreviation for a word, phrase or expression shall be counted as one word.
Example A: PTA = one word

Hyphenations: Hyphenated words that appear in any generally available Standard reference dictionary, shall be counted as one word. Each part of all other hyphenated words shall be counted as separate words.
Example A: Fifty-fifty = 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: Any number consisting of a digit or digits shall be counted as one word. Any number which is spelled shall be counted as a separate word or words.
Example A: **One hundred = two words**
Example B: **100 = one word**

Contact Information: Telephone Numbers, Email and Website Addresses shall be counted as one word.
Example A: **(916) 555-5555 = one-word**
Example B: **smithjh16@gmail.com = one-word**
Example C: **www.smithABC123.net = one word**

CAMPAIGN DISCLOSURE STATEMENT REQUIREMENTS

The Political Reform Act may require proponents of recalls, officers subject to recall and candidates to file campaign disclosure statements disclosing contributions received and expenditures made.

The statutory requirements of the Political Reform Act are now contained in Government Code § 81000 et seq. Information and assistance relating to campaign reporting obligations under the Political Reform Act may be obtained from the Fair Political Practices Commission.

Committee Filing Responsibilities

It is the responsibility of the committee to be aware of and to file the required campaign disclosure statements in a correct and timely manner.

Where to File

The location in which campaign disclosure statements are to be filed depends entirely upon the jurisdiction where the committee is active.

When to File

Refer to the FPPC Filing Schedule by visiting www.fppc.ca.gov

Electronic Filing Requirements for Local Committees

Sacramento County Voter Registration and Elections now requires all committees that receive contributions or make expenditures totaling more than $1,000 in a calendar year, to electronically file campaign disclosure statements. The County, in partnership with NetFile, now has a web-based data entry filing system that allows committees to electronically create and submit campaign disclosure statements.

Visit www.elections.saccounty.gov and click on the Candidate Services link, then Campaign Disclosure Online Filing and Viewing.

Fair Political Practices

Commission www.fppc.ca.gov

1102 Q Street, Ste 3000

(866) 275-3772

Sacramento, CA 95811

advice@fppc.ca.gov

Appendix A – Sample Recall Timeline

This sample timeline does not represent an exact timeline for your particular recall effort. We provide this to give you a very general idea of the length of the process.

The following sequence of events starts as soon as you have served the Notice of Intention.

Phase 1	**Within 7 days after Notice of Intention is Served:**	• Proponents publish Notice of Intention one time only in a newspaper of general circulation at their own expense. • Proponents file the original Notice of Intention with the Registrar and include Proof of Service of Notice. • After the Proponent serves the incumbent, the Incumbent has 7 days to file an answer with the Registrar. • The Incumbent has 7 days to personally serve or mail (via certified mail) a copy of the answer to one of the Proponents.
Phase 2	**10 days after the Incumbent files an answer:**	• After the Incumbent files the answer, or if no answer is filed, Proponents must file 2 blank copies of the proposed petition and proof of publication with the Registrar. • The Registrar reviews the petition and notifies the Proponents of any required changes. • The Proponents make the required changes. This process continues until the Registrar deems the petition ready for circulation.
Phase 3	**Within 40 to 160 days after approval of petition:**	The petition is circulated.
Phase 4	**Within 30 business days of filing petition sections:**	The Registrar verifies the signatures.
Phase 5	**Within 14 days of verifying filed signatures:**	The Registrar submits the certificate of sufficiency to the governing body, who issues an order to hold an election.
Phase 6	**Not less than 88 days and no more than 125 days:**	The recall election is held not less than 88 days and no more than 125 days of the day the registrar submits the certificate of sufficiency to the governing body. If possible, the election is held on the same day as a regularly scheduled election.

Appendix B

NOTICE OF INTENTION TO CIRCULATE RECALL PETITION[1]

TO THE HONORABLE _____(see footnote[2])_____: Pursuant to Section 11020, California Elections Code, the undersigned registered qualified voters of _____(see footnote[3])____, in the State of California, hereby give notice that we are the proponents of a recall petition and that we intend to seek your recall and removal from the office of _____(see footnote[4])_____ , in _____(see footnote 3)___. The grounds for the recall are as follows:

(STATE GROUNDS, 200 WORDS OR LESS)

The printed names, signatures, and residence addresses of the proponents are as follows:(The least possible number of proponents is 30, however, more than 30 may be required by law.)

NAME	ADDRESS	SIGNATURE
1. ...		
2. ...		
3. ...		
4. ...		
.....		
.....		
30. …. (or more. See footnote[5])		

Telephone number to contact proponents (optional)( )_____-_____

The original notice and proof of service will be filed with the _____(see footnote[6])_____.

Elections Code section 11023. (a) Within seven days after the filing of the notice of intention, the officer sought to be recalled may file with the elections official, or in the case of a state officer, the Secretary of State, an answer, in not more than 200 words, to the statement of the proponents.

(b) If an answer is filed, the officer shall, within seven days after the filing of the notice of intention, also serve a copy of it, by personal delivery or by certified mail, on one of the proponents named in the notice of intention.

(c) The answer shall be signed and shall be accompanied by the printed name and business or residence address of the officer sought to be recalled.

[1] Caution: The Notice of Intention must be published by proponents and proof of publication must be filed at the time of filing the two blank copies of the petition with the election official or, in the case of a recall of a state officer, with the Secretary of State. The Notice of Intention, publication and blank copies of the Petition will be compared and scrutinized for accuracy. Any deviation from the text of the Notice of Intention may result in rejection of the petition.

[2] Insert here the name of the person whose recall is being sought.

[3] Insert here the name of the county, city or district for the office.

[4] Insert here the name of office held.

[5] To determine the necessary number of proponents, see Elections Code section 11020(b).

Check with your election official to determine the actual number. Each proponent must provide their complete residence address, including street number, city, and ZIP Code.

[6] Secretary of State, County Elections Official, City Clerk, Secretary of District, as appropriate.

Appendix C

PROOF OF PERSONAL SERVICE

I,_____declare that:
(print full name)

At the time of service I was at least 18 years of age; My name, address and telephone number are as follows:

_____
(print name)

_____
(city, state, zip code)

(____)_____.
(telephone number)

I personally served to_____
(name of person sought to be recalled)

a copy of the Notice of Intention to Recall him/her by delivering the copy of the

Notice of Intention to him/her at:_____
(complete address)

_____

on_____at_____am/pm;
(date) (time)

I have attached the original of the Notice of Intention to this Recall to this Proof of Personal Service.

I,_____,declare under penalty of perjury
(print full name)

under the laws of the State of California that the foregoing is true and correct, and that I, _____executed this proof of personal service:

on_____at_____
(date) (place of signing, e.g., city or county)

_____
(complete signature)

Appendix D

PROOF OF SERVICE BY CERTIFIED MAIL

I,_____declare that: (print full name)

I am over the age of 18 years, and I_____in (reside/am employed)

_____County at_____ (complete address)

_____

On_____, 20__, I deposited in the mail at

_____a copy of the (place, e.g., name of city or county)

Notice of Intention to Recall_____ (name of person sought to be recalled)

in a sealed envelope, with fully prepaid postage thereon for certified mail, addressed to:

_____at: (name of officer sought to be recalled)

_____ (mail address)

I have attached the original of the Notice of Intention to this Proof of Service.

I,_____, declare under penalty of (print full name)

perjury under the laws of the State of California that the foregoing is true and correct, and

that I executed this Proof of Service: On_____at (date)

_____. (place of signing, e.g., city or county)

_____ (complete signature)

Appendix E- Sample Petition for Local Recall (With Official Top Funders)

PETITION FOR LOCAL RECALL

TO THE HONORABLE_____(See note[1])_____,

Pursuant to the California Constitution and California election laws, we the undersigned registered and qualified electors of the ____(See note[2])_____of _____(See note[3])_____, California, respectfully state that we seek the recall and removal of _____(See note[4])_____, holding the office of_____ (See note[5])_____, in_____(See note[2])_____, California.

The following Notice of Intention to Circulate Recall Petition was served on_____(Date)_____ to _____ (See note[4])_____:

(Insert complete text of Notice of Intention here)

The answer of the officer sought to be recalled is as follows: (Insert Officer's Statement here—200 words or less) (If no statement, insert "No Answer was Filed")

(For a recall of a member of the governing board of a school district, the estimate of the county elections official, in consultation with the school district, of the cost of conducting the special election must be included. (§ 11041(a)(4).)

Each of the undersigned states for himself/herself that he or she is a registered and qualified elector of the _____ (See note[2])_____of _____(See note[3]) _____, California.

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. [11-point boldface type (§ 101)]

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK. [11-point non-boldface type (§ 101)]

OFFICIAL TOP FUNDERS. Valid only for [Month, Year[6]]
Petition circulation paid for by [name of the committee as it appears on the most recent Statement of Organization filed pursuant to Government Code section 84101]
Committee major funding from:
[Largest contributor]
[Second largest contributor]
[Third largest contributor]

[OPTIONAL] Endorsed by:
[First endorser]
[Second endorser]
[Third endorser]

Latest info: [link to committee website]

Column must be at least 1" wide

	1. Print Your Name: _____ Sign As Registered To Vote: _____	Residence Address ONLY: _____ City:_____Zip: _____	
	2. Print Your Name: _____ Sign As Registered To Vote: _____	Residence Address ONLY: _____ City:_____Zip: _____	

DECLARATION OF PERSON CIRCULATING SECTION OF RECALL PETITION (MUST BE IN CIRCULATOR'S OWN HANDWRITING)

I,_____(See note 7)_____, solemnly swear (or affirm) all of the following:

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is_____. (If no street or number exists, a designation of my residence adequate to readily ascertain its location is _____.)
3. That the signatures on this section of the petition form were obtained between ____(Month and Day)_____, 20_____, and_____(Month and Day)_____, 20_____; that I circulated the petition and I witnessed the signatures on this section of the petition form being written; and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

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

Executed on_____(Date)_____at (City or Community Where Signed) _____ , California.[8]

_____ Circulator's Signature

_____ Date

1 Insert here – Name of the appropriate governing body. The authority which orders or "calls" elections for that office, or the governing authority for that jurisdiction should be named.
2 Insert Electoral Jurisdiction here – County, City, District name, as appropriate.
3 Insert geographical location here – City, County, etc., as appropriate.
4 Insert here – Name of person whose recall is being sought.
5 Insert here – Name of office.
6 The month and year must start at most seven days after the date the top contributors as defined in Government Code section 84501(c) were last confirmed.
7 Insert here – Printed full name of person who gathered signatures.
8 The petition must be set in at least 8-point type. If signature spaces are printed on both sides of a sheet of paper, the above information, except for the declaration of the circulator must appear on each side of the paper. The circulator's declaration must follow the last signature box. It is suggested that the petition be printed on 8 ½" x 14" paper in order to maximize the number of signature spaces printed on a sheet of paper.

Appendix F - Sample Petition for Local Recall (Excluding Official Top Funders)

PETITION FOR LOCAL RECALL

TO THE HONORABLE _____(See note[1])_____,

Pursuant to the California Constitution and California election laws, we the undersigned registered and qualified electors of the _____(See note[2])_____of _____(See note[3])_____, California, respectfully state that we seek the recall and removal of _____(See note[4])_____, holding the office of_____ (See note[5])_____, in_____(See note[2])_____, California.

The following Notice of Intention to Circulate Recall Petition was served on_____(Date)_____ to _____ (See note[4])_____

(Insert complete text of Notice of Intention here)

The answer of the officer sought to be recalled is as follows: (Insert Officer's Statement here—200 words or less) (If no statement, insert "No Answer was Filed")

(For a recall of a member of the governing board of a school district, the estimate of the county elections official, in consultation with the school district, of the cost of conducting the special election must be included. (§ 11041(a)(4).)

Each of the undersigned states for himself/herself that he or she is a registered and qualified elector of the _____ (See note[2])_____ of_____(See note[3])_____, California.

NOTICE TO THE PUBLIC:
THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK. [11-point non-boldface type (§ 101)]

Column must be at least 1" wide

	1. Print Your: Name: _____ Residence Address ONLY: Address ONLY: _____ **DO NOT SIGN UNLESS** you have seen Official Top Funders sheet and its month is still valid. Sign As Registered To Vote: _____ City:_____Zip: _____	
	2. Print Your Name: _____ Residence Address ONLY: _____ **DO NOT SIGN UNLESS** you have seen Official Top Funders sheet and its month is still valid. Sign As Registered To Vote: _____ City:_____Zip: _____	
	3. Print Your Name: _____ Residence Address ONLY: _____ **DO NOT SIGN UNLESS** you have seen Official Top Funders sheet and its month is still valid. Sign As Registered To Vote: _____ City:_____ Zip: _____	

DECLARATION OF PERSON CIRCULATING SECTION OF RECALL PETITION (MUST BE IN CIRCULATOR'S OWN HANDWRITING)

I,_____(See note[6])_____ , solemnly swear (or affirm) all of the following:

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is_____. (If no street or number exists, a designation of my residence adequate to readily ascertain its location is _____.)
3. That the signatures on this section of the petition form were obtained between ____(Month and Day)_____, 20_____, and_____(Month and Day)_____, 20_____; that I circulated the petition and I witnessed the signatures on this section of the petition form being written; and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.
4. That I showed each signer a valid and unfalsified "Official Top Funders" sheet, as required by Elections Code Section 107.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on_____(Date)_____at (City or Community Where Signed) _____ , California.[7]

_____ _____
Circulator's Signature Date

[1] Insert here – Name of the appropriate governing body. The authority which orders or "calls" elections for that office, or the governing authority for that jurisdiction should be named.

[2] Insert Electoral Jurisdiction here – County, City, District name, as appropriate.

[3] Insert geographical location here – City, County, etc., as appropriate.

[4] Insert here – Name of person whose recall is being sought.

[5] Insert here – Name of office.

[6] Insert here – Printed full name of person who gathered signatures.

[7] The petition must be set in at least 8-point type. If signature spaces are printed on both sides of a sheet of paper, the above information, except for the declaration of circulator must appear on each side of the paper. The circulator's declaration must follow the last signature box. It is suggested that petition be printed on 8 ½" x 14" paper in order to maximize the number of signatures spaces printed on a sheet of paper.

Appendix G - Sample Petition for Local Recall (With No Official Top Funders)

PETITION FOR LOCAL RECALL

TO THE HONORABLE _____(See note[1])_____,

Pursuant to the California Constitution and California election laws, we the undersigned registered and qualified electors of the _____(See note[2])_____of _____(See note[3])_____, California, respectfully state that we seek the recall and removal of _____(See note[4])_____, holding the office of_____ (See note[5])_____, in_____(See note[2])_____, California.

The following Notice of Intention to Circulate Recall Petition was served on_____(Date)_____ to _____ (See note[4])_____:

(Insert complete text of Notice of Intention here)

The answer of the officer sought to be recalled is as follows: (Insert Officer's Statement here—200 words or less) (If no statement, insert "No Answer was Filed")

(For a recall of a member of the governing board of a school district, the estimate of the county elections official, in consultation with the school district, of the cost of conducting the special election must be included. (§ 11041(a)(4).)

Each of the undersigned states for himself/herself that he or she is a registered and qualified elector of the _____ (See note[2])_____ of_____(See note[3]) _____, California.

NOTICE TO THE PUBLIC:
THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK. [11-point non-boldface type (§ 101)]

Column must be at least 1" wide

	1. Print Your: Name: _____ Sign As Registered To Vote: _____	Residence Address ONLY: Address ONLY: _____ City:_____ Zip: _____	
	2. Print Your Name: _____ Sign As Registered To Vote: _____	Residence Address ONLY: _____ City:_____ Zip _____	
	3. Print Your Name: _____ Sign As Registered To Vote: _____	Residence Address ONLY: _____ City:_____ Zip:_____	
	4. Print Your Name: _____ Sign As Registered To Vote: _____	Residence Address ONLY: _____ City:_____ Zip: _____	

DECLARATION OF PERSON CIRCULATING SECTION OF RECALL PETITION (MUST BE IN CIRCULATOR'S OWN HANDWRITING)

I,_____(See note[6])_____ , solemnly swear (or affirm) all of the following:

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is_____. (If no street or number exists, a designation of my residence adequate to readily ascertain its location is _____.)
3. That the signatures on this section of the petition form were obtained between ____(Month and Day)_____, 20_____, and_____(Month and Day)_____, 20_____; that I circulated the petition and I witnessed the signatures on this section of the petition form being written; and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on_____(Date)_____at (City or Community Where Signed) _____ , California.[7]

_____ _____
Circulator's Signature Date

[1] Insert here – Name of the appropriate governing body. The authority which orders or "calls" elections for that office, or the governing authority for that jurisdiction should be named.

[2] Insert Electoral Jurisdiction here – County, City, District name, as appropriate.

[3] Insert geographical location here – City, County, etc., as appropriate.

[4] Insert here – Name of person whose recall is being sought.

[5] Insert here – Name of office.

[6] Insert here – Printed full name of person who gathered signatures.

[7] The petition must be set in at least 8-point type. If signature spaces are printed on both sides of a sheet of paper, the above information, except for the declaration of circulator must appear on each side of the paper. The circulator's declaration must follow the last signature box. It is suggested that petition be printed on 8 ½" x 14" paper in order to maximize the number of signatures spaces printed on a sheet of paper.