

Ballot Designation Worksheet Guide

November 6, 2018



Elections Office of the Registrar of Voters

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1.	Has the candidate filed a <i>Declaration of Candidacy</i> ?	YES <input type="checkbox"/> Continue to #2	NO <input type="checkbox"/> Candidate must complete a <i>Declaration of Candidacy</i> . Continue to #2
2.	Has the candidate indicated on the <i>Declaration of Candidacy</i> that they want a ballot designation to appear on the ballot?	YES <input type="checkbox"/> Continue to #3	NO <input type="checkbox"/> <i>A Ballot Designation Worksheet</i> is optional and the candidate is not required to complete.
3.	Has the <u>candidate, or a person authorized to act on the candidate's behalf</u> , provided their name, office, residence address, and telephone numbers on the <i>Ballot Designation Worksheet</i> ? (E-mail, business address, and mailing address are to be provided only if applicable)	YES <input type="checkbox"/> Continue to #4	NO <input type="checkbox"/> The candidate, or person authorized to act on candidates' behalf, <u>must</u> provide the listed information on the <i>Ballot Designation Worksheet</i> . When completed continue to #4
4.	Has the candidate proposed a ballot designation and alternate ballot designations?	YES <input type="checkbox"/> Continue to #5	NO <input type="checkbox"/> Alternate ballot designations are optional, but highly advised. Continue to #5
ELECTIVE OFFICE TITLE			
5.	Does the candidate's proposed ballot designation refer to a currently held elective office?	YES <input type="checkbox"/> Continue to #6	NO <input type="checkbox"/> Continue to #13
6.	Has the candidate presented a Certificate of Election or a Certificate In-Lieu of Election?	YES <input type="checkbox"/> Continue to #9	NO <input type="checkbox"/> Election Official must verify status as officeholder, then continue to #7
7.	Was the candidate appointed to their current term?	YES <input type="checkbox"/> Continue to #8	NO <input type="checkbox"/> Candidate must provide Certificate of Election, then continue to #9
8.	Does the proposed ballot designation contain the word "appointed?"	YES <input type="checkbox"/> Continue to #9	NO <input type="checkbox"/> Candidate must use the word "appointed" in their proposed Ballot Designation, then continue to #9
9.	Does the proposed ballot designation contain the candidate's full elective office title?	YES <input type="checkbox"/> Continue to #12	NO <input type="checkbox"/> Continue to #10
10.	Does the proposed ballot designation contain the word "incumbent?"	YES <input type="checkbox"/> Continue to #11	NO <input type="checkbox"/> Candidate's ballot designation must be full elective office title, "incumbent" or "appointed incumbent." Select a different ballot designation, then return to #5.

11.	In addition to “incumbent” or “appointed incumbent,” has the candidate designated any other professions, vocations or occupations?	YES <input type="checkbox"/> Candidate may not designate any other professions, vocations or occupations with “incumbent” or “appointed incumbent.”	NO <input type="checkbox"/> Continue to #36
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REFERENCE - 2 CA ADC § 20713(b) reads as follows:
The term “incumbent” must be used as a noun. It shall not be used in conjunction with any other words, including any accompanying adjectives or modifiers, and must stand alone.

REFERENCE – 2 CA ADC § 20715(a)(b) reads as follows:

(a) Pursuant to Elections Code § 13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of the phrase “appointed incumbent” if the candidate holds an office, other than a judicial office, by virtue of appointment, and the candidate is a candidate for election to the same office. The candidate may not use the unmodified word “incumbent” or any words designating the office unmodified by the word “appointed.”

(b) Pursuant to Elections Code § 13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of the word “appointed” in conjunction with the elective office, if the candidate is a candidate for election to the same office or to some other office. The candidate may not use any words designating the office unmodified by the word “appointed.”

12.	In addition to their elective office title, has the candidate designated any other professions, vocations or occupations?	YES <input type="checkbox"/> Continue to #13	NO <input type="checkbox"/> Continue to #36
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REFERENCE – 2 CA ADC § 20714(g) reads as follows:

A candidate who chooses to include the name of his or her elective office with another profession, vocation, or occupation may do so.

Examples of acceptable designations under this section include:

“State Senator/Rancher,” “California Assemblywoman/Attorney,” “County Supervisor/Teacher,” and “State Controller/Businessman.”

Examples of unacceptable designations under this section include “Assemblyman, 57th District/Educator,” “California State Senator/Architect,” “Placer County Supervisor/Business Owner,” and “Member, Board of Equalization/Banker.”

PRINCIPAL PROFESSION, VOCATION, OR OCCUPATION

13.	Has the candidate designated multiple principal professions, vocations or occupations?	YES <input type="checkbox"/> Continue to #14	NO <input type="checkbox"/> Continue to #15
14.	Has the candidate separated the multiple principal professions, vocations or occupations with a “/”?	YES <input type="checkbox"/> Continue to #15	NO <input type="checkbox"/> Candidate must separate principal professions, vocations or occupations with a “/”, then Continue to #15

REFERENCE – 2 CA ADC § 20714(e) reads as follows:

A candidate may engage in multiple principal professions, vocations or occupations. Accordingly, the candidate may designate multiple principal professions, vocations or occupations. If a candidate proposes a ballot designation including multiple principal professions, vocations or occupations, the proposed ballot designation must comply with the following provisions:

...(3) When multiple professions, vocations or occupations are proposed as a ballot designation, they shall be separated by a slash (“/”). An example of an acceptable designation would be “Legislator/Rancher/Physician.”

15.	Is the proposed ballot designation grammatically correct, generic, and are all words spelled correctly?	YES <input type="checkbox"/> Continue to #16	NO <input type="checkbox"/> Candidate must re-write ballot designation then Continue to #16
16.	Does the proposed ballot designation use any punctuation other than a comma (e.g., District Attorney, Los Angeles County), a slash (e.g., Legislator/Rancher/Physician), or a hyphen as called for in the spelling of a word?	YES <input type="checkbox"/> Candidate must re-write ballot designation. Continue to #17	NO <input type="checkbox"/> Continue to #17

REFERENCE – 2 CA ADC § 20714(f)(2) reads as follows:

Punctuation shall be limited to the use of a comma (e.g., District Attorney, Los Angeles County) and a slash (e.g., legislator/Rancher/Physician)... A hyphen may be used if, and only if, the use of a hyphen is called for in the spelling of a word as it appears in a standard reference dictionary of the English language which was published in the United States at any time within the 10 calendar years immediately preceding the election...

17.	Does the proposed ballot designation contain more than three words designating the current principal profession, vocation, or occupation of the candidate?	YES <input type="checkbox"/> Continue to #18	NO <input type="checkbox"/> Continue to #20
18.	Based on the three word count rule, does the proposed ballot designation include words that are considered one word, such as California geographical names or acronyms? (e.g. Tehama County, Los Angeles County and County of Sacramento)	YES <input type="checkbox"/> Continue to #19	NO <input type="checkbox"/> Candidate must re-write ballot designation. Return to #5

REFERENCE - 2 CA ADC § 20714(f)(3)(4) reads as follows:

(f)...The following rules shall govern the application of the three word limitation:

(3) All California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. The names of special districts and political subdivisions are not "geographical names"... If the candidate desires, the geographical name may be used in the form of "City of . . .," "County of . . .," or "City and County of . . ." Examples of geographical names considered to be one word include Tehama County, Los Angeles County and County of Sacramento...

(4)An acronym shall be counted as one word.

19.	Does the proposed ballot designation contain more than three words that is not the elected title after applying the three word count rule?	YES <input type="checkbox"/> Candidate must re-write ballot designation. Return to #5	NO <input type="checkbox"/> Continue to #20
20.	Is the candidate currently engaged in the principal professions, vocations, or occupations selected as the ballot designation?	YES <input type="checkbox"/> Continue to #22	NO <input type="checkbox"/> Candidate must use current principal professions, vocations or occupations. If none, continue to #21
21.	Was the candidate engaged in the principal professions, vocations, or occupations selected as the ballot designation during the calendar year immediately preceding this filing?	YES <input type="checkbox"/> Continue to #22	NO <input type="checkbox"/> Candidate must re-write ballot designation. Return to #5

REFERENCE - 2 CA ADC § 20714(d) reads as follows:

If the candidate is engaged in a profession, vocation or occupation at the time he or she files his or her nomination documents, the candidate's proposed ballot designation is entitled to consist of the candidate's current principal professions, vocations and occupations. In the event the candidate does not have a current principal profession, vocation or occupation at the time he or she files his or her nomination documents, the candidate may use a ballot designation consisting of his or her principal professions, vocations or occupations, which the candidate was principally engaged in during the calendar year immediately preceding the filing of the candidate's nomination papers.

22.	Is the proposed ballot designation factually accurate, descriptive of the candidate's principal profession, vocation or occupation?	YES <input type="checkbox"/> Continue to #23	NO <input type="checkbox"/> Candidate must re-write ballot designation. Return #5
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REFERENCE – 2 CA ADC § 20714(a)(b) reads as follows:

(a)The terms "profession," "vocation," or "occupation," as those terms are used in Elections Code § 13107, subdivision (a)(3), are defined as follows:

(1) "Profession" means a field of employment requiring special education or skill and requiring knowledge of a particular discipline. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual. Recognized professions generally include, but are not limited to, law, medicine, education, engineering, accountancy, and journalism. Examples of an acceptable designation of a "profession," as defined in Elections Code § 13107, subdivision (a)(3), include, but are not limited to, "attorney," "physician," "accountant," "architect," and "teacher."

(2) "Vocation" means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his or her livelihood and spends a major portion of his or her time. As defined, vocations may include, but are not limited to, religious ministry, child rearing, homemaking, elderly and dependent care, and engaging in trades such as carpentry, cabinetmaking, plumbing, and the like. Examples of an acceptable designation of a "vocation," as defined in Elections Code § 13107, subdivision (a)(3), include, but are not limited to, "minister," "priest," "mother," "father," "homemaker," "dependent care provider," "carpenter," "plumber," "electrician," and "cabinetmaker."

(3) "Occupation" means the employment in which one regularly engages or follows as the means of making a livelihood. Examples of an acceptable designation of an "occupation," as defined in Elections Code § 13107, subdivision (a)(3), include, but are not limited to, "rancher," "restaurateur," "retail salesperson," "manual laborer," "construction worker," "computer manufacturing executive," "military pilot," "secretary," and "police officer."

(b) "Principal," as that term is used in Elections Code § 13107, subdivision (a)(3), means a substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. The term "principal" precludes any activity which does not entail a significant involvement on the part of the candidate. Involvement which is only nominal, pro forma, or titular in character does not meet the requirements of the statute.

(1) If a candidate is licensed by the State of California to engage in a profession, vocation or occupation, the candidate is entitled to consider it one of his or her "principal" professions, vocations or occupations if (i) the candidate has maintained his or her license current as of the date he or she filed his or nomination documents by complying with all applicable requirements of the respective licensure, including the payment of all applicable license fees and (ii) the status of the candidate's license is active at the time he or she filed his or her nomination documents. (2) A candidate who holds a professional, vocational or occupational license issued by the State of California may not claim such profession, vocation or occupation as one of his or her "principal" professions, vocations or occupations if (i) the candidate's licensure status is "inactive" at the time the candidate files his or her nomination document, or (ii) the candidate's license has been suspended or revoked by the agency issuing the license at the time the candidate files his or her nomination documents.

23.	Is the proposed ballot designation confusing or misleading?	YES <input type="checkbox"/> Candidate must re-write ballot designation. Return to #5	NO <input type="checkbox"/> Continue to #24
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REFERENCE - 2 CA ADC § 20716(c) reads as follows:
 In making this determination, the Secretary of State shall determine whether there is a substantial likelihood that a reasonably prudent voter would be misled as to the candidate's principal profession, vocation or occupation by the candidate's proposed ballot designation. The determination shall take into account the plain meaning of the words constituting the proposed ballot designation and the factual accuracy of the proposed ballot designation based upon supporting documents or other evidence submitted by the candidate in support of the proposed ballot designation....

24.	Does the proposed ballot designation contain the words "Community Volunteer"?	YES <input type="checkbox"/> Continue to #25	NO <input type="checkbox"/> Continue to #27
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25.	Is the candidate a person who engages in an activity or performs a service for or on behalf of, without profiting monetarily, one or more of the following? <ul style="list-style-type: none"> • A charitable, educational, or religious organization as defined by the United States Internal Revenue Code section 501(c)(3); • A governmental agency; or • An educational institution. 	YES <input type="checkbox"/> Continue to #26	NO <input type="checkbox"/> Candidate may not use the words "Community Volunteer" as the proposed ballot designation. Return to #5
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26.	Does the candidate's activity or service constitute substantial involvement of the candidate's time and effort such that the activity or service is the sole, primary, main or leading professional, vocational, or occupational endeavor of the candidate?	YES <input type="checkbox"/> Continue to #27	NO <input type="checkbox"/> Candidate may not use the words "Community Volunteer" as the proposed ballot designation. Return to #5
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REFERENCE - 2 CA ADC § 20714.5(b) reads as follows:
 The activity or service must constitute substantial involvement of the candidate's time and effort such that the activity or service is the sole, primary, main or leading professional, vocational, or occupational endeavor of the candidate.

RETIRED

27.	Does the proposed ballot designation contain the word "Retired"?	YES <input type="checkbox"/> Continue to #28	NO <input type="checkbox"/> Continue to #31
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28.	Does the candidate possess another more recent, intervening principal profession, vocation, or occupation?	YES <input type="checkbox"/> Candidate may not use the word "Retired" as the proposed ballot designation. Return to #5	NO <input type="checkbox"/> Continue to #29
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29.	Does the proposed ballot designation abbreviate the word "Retired"?	YES <input type="checkbox"/> Candidate must correct abbreviation, then Continue to #30	NO <input type="checkbox"/> Continue to #30
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30.	Does the proposed ballot designation place “retired” following any word or words which it modifies?	YES <input type="checkbox"/> “Retired” must be placed before any word or words which it modifies, then Continue to #31	NO <input type="checkbox"/> Continue to #31
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REFERENCE – 2 CA ADC § 20716(h)(1) reads as follows:
 Subject to the provisions of Elections Code § 13107, subdivision (b)(4), use of the word “retired” in a ballot designation is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation.
 (2) In evaluating a proposed ballot designation including the word “retired,” the Secretary of State will consider the following factors in making a determination as to the propriety of the use of the term “retired”:
 (A) Prior to retiring from his or her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than 5 years;
 (B) The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension;
 (C) The candidate has reached at least the age of 55 years;
 (D) The candidate voluntarily left his or her last professional, vocational or occupational position; and
 (E) The candidate’s retirement benefits are providing him or her with a principal source of income.
 (3) If the candidate is requesting a ballot designation that he or she is a retired public official, the candidate must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office. If such a candidate did not voluntarily retire from public office, he or she may not use the word “retired” in this or her ballot designation.
 (4) A candidate may not use the word “retired” in his or her ballot designation if that candidate possesses another more recent, intervening principal profession, vocation, or occupation.

REFERENCE - CA EC § 13107 (e) 3 reads as follows:
 (e) Neither the Secretary of State nor any other elections official shall accept a designation of which any of the following would be true:
 (3) It abbreviates the word “retired” or places it following any word or words which it modifies.

UNACCEPTABLE BALLOT DESIGNATIONS

31.	Is the proposed ballot designation an <i>avocation, pro forma profession, vocation or occupation, or a status?</i>	YES <input type="checkbox"/> Candidate must re-write ballot designation. Return to #5	NO <input type="checkbox"/> Continue to #32
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REFERENCE – 2 CA ADC § 20716(b) reads as follows:
 The following types of activities are distinguished from professions, vocations and occupations and are not acceptable as ballot designations...

(1)*Avocations*: An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and in addition to the candidate’s principal profession, vocation or occupation. Avocations may include, but are not limited to, hobbies, social activities, volunteer work (except as set forth in Section 20714.5 of this Chapter), and matters pursued as an amateur.

(2) *Pro Forma Professions, Vocations and Occupations*: Pro forma professions, vocations or occupations are positions held by the candidate which consume little or none of the candidate’s time and which, by their nature, are voluntary or for which the candidate is not compensated, except as set forth in Section 20714.5 of this Chapter. Pro forma professions, vocations and occupations may include, but are not limited to, such pursuits as honorary peace officer, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess and the like.

(3)*Statuses*: A status is a state, condition, social position or legal relation of the candidate to another person, persons or the community as a whole. A status is generic in nature and generally fails to identify with any particular specificity the manner by which the candidate earns his or her livelihood or spends the substantial majority of his or her time. Examples of a status include, but are not limited to, veteran, proponent, reformer, scholar, founder, philosopher, philanthropist, activist, patriot, taxpayer, concerned citizen, husband, wife, and the like.

32.	Does the proposed ballot designation include commercial identification information, such as a trademark, service mark, trade name, or the specific name of a business, partnership, corporation, company, foundation, or organization?	YES <input type="checkbox"/> Candidate must re-write ballot designation. Return #5	NO <input type="checkbox"/> Continue #33
33.	Does the proposed ballot designation suggest an evaluation of the candidate’s qualifications, honesty, integrity, leadership abilities or character?	YES <input type="checkbox"/> Candidate must re-write ballot designation. Return to #5	NO <input type="checkbox"/> Continue to #34

REFERENCE – 2 CA ADC § 20716(e) reads as follows:
 ...Such impermissible adjectives include, but are not limited to, “senior,” “emeritus,” “specialist,” “magnate,” “outstanding,” “leading,” “expert,” “virtuous,” “eminent,” “best,” “exalted,” “prominent,” “famous,” “respected,” “honored,” “honest,” “dishonest,” “corrupt,” “lazy,” and the like.

34.	<p>Does the proposed ballot designation:</p> <ul style="list-style-type: none"> • Use a word or prefix such as “former”? • Use the name of any political party, qualified or unqualified? • Use a word or words referring to a racial, religious, or ethnic group? • Refer to any activity prohibited by law? 	<p>YES <input type="checkbox"/></p> <p>Candidate must re-write ballot designation. Return to #5</p>	<p>NO <input type="checkbox"/></p> <p>Continue to #35</p>
<p>REFERENCE - CA EC § 13107(e) 3-7 reads as follows: (e) Neither the Secretary of State nor any other elections official shall accept a designation of which any of the following would be true: (3) It abbreviates the word “retired” or places it following any word or words which it modifies. (4) It uses a word or prefix, such as “former” or “ex-,” which means a prior status. The only exception is the use of the word “retired.” (5) It uses the name of any political party, whether or not it has qualified for the ballot. (6) It uses a word or words referring to a racial, religious, or ethnic group. (7) It refers to any activity prohibited by law.</p> <p>2 CA ADC § 20716 reads as follows: Pursuant to Elections Code § 13107, subdivision (e)(5), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses the name of any political party, whether or not it has qualified for recognized ballot status. Pursuant to Elections Code § 13107, subdivision (e)(6), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or words referring to a racial, religious, or ethnic group. The Secretary of State shall reject as unacceptable any ballot designation which expressly contains or implies any ethnic or racial slurs or ethnically or racially derogatory language. If the candidate is a member of the clergy, the candidate may not make reference to his or her specific denomination. However, the candidate may use his or her clerical title as a ballot designation (e.g., “Rabbi,” “Pastor,” “Minister,” “Priest,” “Bishop,” “Deacon,” “Monk,” “Nun,” “Imam,” etc.)</p>			
35.	<p>Does the proposed ballot designation use a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed or judicial office previously held by the candidate?</p>	<p>YES <input type="checkbox"/></p> <p>Candidate must re-write ballot designation. Return to #5</p>	<p>NO <input type="checkbox"/></p> <p>Continue to #36</p>
<p>REFERENCE – 2 CA ADC § 20716(g) reads as follows: Such impermissible words or prefixes include, but are not limited to, “Ex-,” “former,” “past,” and “erstwhile.” Examples of impermissible designations include “Former Congressman,” “Ex-Senator,” and “Former Educator.”</p>			
<p>Supporting Documentation</p>			
36.	<p>Has the candidate supplied the following information?</p> <ul style="list-style-type: none"> • The title of the current occupation which he or she claims supports the proposed ballot designation • the name of the candidate’s business or employer • The dates during which the candidate held such position • The name and telephone numbers of persons who could verify such information 	<p>YES <input type="checkbox"/></p> <p>Continue to #37</p>	<p>NO <input type="checkbox"/></p> <p>Candidate should provide information to support the use of proposed ballot designation</p>
37.	<p>Has the candidate submitted a brief statement identifying the factual basis upon which the candidate claims the proposed ballot designation?</p>	<p>YES <input type="checkbox"/></p> <p>Continue to #38</p>	<p>NO <input type="checkbox"/></p> <p>Candidate should provide information to support the use of proposed ballot designation</p>
38.	<p>Has the candidate submitted proof of chosen ballot designation status information such as a business card or a notice from the organization or business on official company letterhead?</p>	<p>YES <input type="checkbox"/></p> <p>Continue to #39</p>	<p>NO <input type="checkbox"/></p> <p>Candidate should provide information to support the use of proposed ballot designation</p>
39.	<p>Has the candidate signed and dated the <i>Ballot Designation Worksheet</i>?</p>	<p>YES <input type="checkbox"/></p> <p>File with San Bernardino County Elections Office</p>	<p>NO <input type="checkbox"/></p> <p>Candidate must sign and date the <i>Ballot Designation Worksheet</i>, then File with the San Bernardino County Elections Office</p>

