



# County Initiative Guide

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Revised February 2025

## Purpose

The purpose of this guide is to provide general information. The Tehama County Elections office is not giving you legal advice. This guide does not have the force and effect of law and is not a substitute for legal counsel.

It is your responsibility to obtain the most current information available. We encourage you to contact us to discuss the process.

All references contained in this guide are to the [California Elections Code](#) unless otherwise stated.

## Overview of a Measure

The Tehama County Board of Supervisors (BOS) and other governing bodies adopt laws to govern the people in the county, city, or districts. This guide describes the general process you can use to place an initiative or referendum on the ballot.

### What is a measure?

In general, a measure is any constitutional amendment or other proposition submitted to a popular vote at any election. A county measure includes any new or amendment to a county law, a proposition for the issuance of a bond, or any other question or proposition submitted to the voters of a county or district.

Sometimes people use the term measure interchangeably to refer to different types of measures. Typically, an initiative or referendum becomes a measure after the petition qualifies for the ballot.

### Common Types of Measures

- ◆ Initiatives
- ◆ Referendums
- ◆ School Bonds
- ◆ Special District Bonds

### Contact Information for Initiatives

The Tehama Registrar of Voters (ROV) is the elections official for countywide initiatives and referendums. See the front cover of this document for contact information. The City Clerk is the elections official in the case of a city initiative or referendum. Contact the city clerk for Corning, Red Bluff, and Tehama

### Helpful California Elections Code Sections

	<b>Initiatives</b>	<b>Referendums</b>	<b>Bonds</b>
County	9100-9126	9140-9147	9400-9405
City	9200-9226	9235-9247	9400-9405
Special Districts	9300-9232	9340-9342	9400-9405
School District Elections	9500-9509; Education Code 5300-5363		

## The Difference Between an Initiative and a Referendum

The initiative is the power of the people to propose laws and amendments to the Constitution and to adopt or reject them. Laws may be enacted by any district except those discussed in section 9300.

Generally, you propose an initiative to bring an issue to the voters. An initiative qualifies for the ballot when you submit a sufficient petition to the elections official.

You can challenge a law already approved, but not yet effective, by using a referendum. A referendum qualifies for the ballot when you submit a sufficient petition to protest the adoption of the law and the governing body chooses not to reconsider all or part of the law. If the governing body does not entirely repeal the law, the governing body sends it to a vote.

Both types of measures qualify for the ballot by submitting a petition signed by a percentage of the registered voters. Use the chart below to determine which process is right for your issue.

Example Situations	Initiative	Referendum
You want to change a law that is already in place and in effect	Yes	No
You want to propose a new law	Yes	No
You want to challenge a new law that has passed but is not yet effective	No	Yes
Requires a public Notice of Intention	Yes	No
Requires a sufficient petition	Yes	Yes
The petition must be circulated, deemed sufficient, and presented to the BOS before the effective date of the ordinance.	n/a	Yes*
A governing body wants to place an issue before the voters	Yes (petition not required)	No

\* You must complete the referendum process within a very short time frame. We suggest that you obtain legal counsel to check the deadlines and laws about the referendum process. Most laws are effective 30 days after the date of final passage. See section 9141 for those laws that become effective immediately.

### Examples

#1: The BOS adopts a law to be effective in 30 days. You disagree with this law and wish to challenge it. You have 30 days to submit a sufficient petition to the ROV. If the ROV certifies your petition, the County Clerk submits a certification of sufficiency to the BOS, who reconsiders repealing the law. If the BOS does not repeal the law, they will send the law to the voters for a vote.

#2: You discover that the county has in place a law that you disagree with and you want to get it on the ballot. You would need to start the initiative process and submit a Notice of Intention, which starts the time clock. Then, you would have approximately 180 days to submit a sufficient petition to the elections official. If the petition is sufficient, the BOS will call an election.

## A Look at the Process

If you want to circulate an initiative petition, you should contact private legal counsel to advise you through the many steps involved in the petition process. There are costs involved with the petition process such as, but not limited to, the filing fees, legal notice costs, and petition printing. Elections staff cannot help proponents with developing the contents of their proposed law or getting signatures for the petitions.

### **File a Notice of Intention (§ 9103, 9104, 9302, 9608)**

You must file a Notice of Intention and a Proponent Statement of Acknowledgement to the county elections official. The notice must include:

- the printed name/s, signature/s, and business or residence addresses of at least one but not more than five
- written text of initiative
- and a request that a ballot title and summary be prepared

The Notice of Intention may contain a statement not exceeding 500 words, stating the reasons for the petition. See the Word Count Guidelines in this document.

Proponents must pay a fee not to exceed \$200 to be refunded if, within one year of the date of filing the Notice of Intention, the clerk certifies the sufficiency of the petition.

### **Ballot Title and Summary Preparation by County Counsel (§ 9105)**

The elections official will send a copy of the proposed measure to County Counsel, who must return a Ballot Title and Summary of 500 words or less within 15 days.

The elections official sends a copy of the ballot title and summary to the proponents.

### **Publication (§9105 (b), 9303)**

You must publish the Notice of Intention, ballot title, and summary in a newspaper of general circulation before you circulate the petition.

### **File Proof of Publication (§9105 (b), 9304)**

File proof of publication with the elections official.

## **Prepare and Format the Petition**

The law requires you to use a specific petition format. The County Elections Department will not accept or file petitions which do not comply with Elections Code. An example petition format is included in this document.

### **Format the Petition**

The ballot title and summary must appear on each section of the petition above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman boldface type no smaller than 12 point.

You must clearly separate the ballot title and summary from the text of the measure. Print the text of the measure in type no smaller than 8 point.

The person soliciting signatures decides the number of signatures attached to each section. Number the signature spaces for each petition section, starting with number one.

Leave a blank space of at least one inch wide at the right margin of the page after each name and address for the use of the elections official in verifying the petition.

### **Circulate the Petition (§9109 9110)**

Proponents may begin to circulate the petitions for voter signatures after publication of the title and summary. Each section of the petition shall include a copy of the Notice of Intention, ballot title and summary.

Proponents have 180 days from the receipt of the title and summary to circulate the petitions

### **Gather Signatures (§ 100, 100.5)**

Only a person who is a registered voter at the time of signing the petition is entitled to sign it.

You must ensure that each signer, at the time of signing the petition, personally affixes his or her signature, printed name, and place of residence, giving street and number, or if not available, a designation of the place of residence.

If a voter is unable to personally include the required information on the petition, the voter may have another person print the voter's name and place of residence on the appropriate spaces. The voter still must personally write his or her mark, which would substitute for the signature, and have someone witness it.

A petition signer can register to vote at the same time they sign the petition, however, the Elections Department must receive the registration before or by the time the Elections Department receives the petition.

### **Withdrawn Signatures (§ 103, 9602)**

A voter can withdraw their signature from a petition by filing a written request with the ROV prior to the filing day of the petition section on which the signature appears.

### **Reports Ordered During Circulation (§ 9111)**

During circulation of the petition, the BOS may refer the proposed county initiative to any county agency for a report. The county agency must present the report to the BOS no later than 30 days after the ROV certifies the sufficiency of the petition.

## **Signature Requirement for County Initiatives and Referendums (§ 9107, 9118)**

The elections official will determine the number of signatures required to sign the petition by obtaining the number of votes cast within the county for all candidates for Governor at the last gubernatorial election preceding the publication of the Notice of Intention to circulate the initiative petition. The minimum amount is 10% of that number. To find the number of the entire vote cast for Governor at the last gubernatorial election, view past election results on the [county's website](#).

The Elections Department recommends obtaining an additional 50 percent of signatures above the amount required to compensate for disqualified signers for not being registered or for other reasons.

### **File the Petition with the County Elections Official**

#### **Deadline to File the Petition (§ 9110, 9113)**

You must file the petition with the elections official during normal business hours within 180 days from the date of receipt of the title and summary and, if applicable, after receipt of an amended title or summary or both, whichever occurs later.

You must file all sections of the petition at the same time. You may not amend or supplement your petition except by court order.

After you have submitted the petition, the elections official has 30 days to determine the sufficiency of the petition. The elections official will notify you of the results.

#### **Verification of Signatures (§ 9115, 9309)**

The elections official will verify the signatures on the petition. Every signature must be verified if there are 500 signatures or less on the petition.

The elections official will use either the 100 percent or random sampling technique to verify the signatures.

If more than 500 signatures are submitted, the elections official may choose to use a random sampling, which includes verification of at least 500 or three percent of the signatures, whichever is greater. The elections official must complete generally within 30 days of the petition filing.

We cannot return the petition to you if the ROV finds the petition insufficient, but you can still file a new petition on the same issue later. Those listed on the Notice of Intention and representatives designated in writing may review the petition signatures within 21 days of certification in the ROV's office to determine the reason for disqualified signatures. This option is not available to the public or to those not listed on the Notice of Intention.

#### **Examination And Retention Of The Petition (§ 17200 GC § 6253.5)**

The elections official must retain petitions for eight months after the election for which the petition qualifies. If there is no election, we retain the petition for eight months after the election official's final exam of the petition.

# Campaign Disclosure Requirements

## Political Reform Act (GC § 81000)

Proponents of initiative or referendum petitions may have campaign disclosure requirements under the Political Reform Act.

### If You Plan to Raise or Spend Money

Before raising or spending any money, visit the [California Fair Political Practices Commission \(FPPC\)](http://www.fppc.ca.gov) website for requirements. To amend or file supplemental information, you must file special reports. Know the deadlines and types of forms you must file.

**First:** Obtain a copy of Information Manual 3 - Campaign Provisions of the Political Reform Act - from the elections official. ink: <http://www.fppc.ca.gov/manuals/manual3.pdf>

**Second:** File a [Form 410 – Statement of Organization](#). The original form and check is mailed to the Secretary of State Political Reform Division. A copy is provided to the local filing officer.

Any person who receives contributions totaling \$2,000 or more within a calendar year, qualifies as a recipient committee and within 10 days of qualifying must file a Form 410 with the Secretary of State and the county.

A Form 410 may be filed prior to qualifying. Upon receipt of the Form 410, the Secretary of State will issue an identification number, which must be included on all campaign disclosure forms.

**Third:** Once qualified, be prepared to file a [Form 460](#) (long form) or [Form 450](#) (short form) Pre Election Statements and Semi Annual statements.

These reports detailing your committee's contributions and expenditures are filed at specified times prior to and following the election. There are also various special reports that must be filed to amend forms or to provide supplemental information. Know the deadlines and the type of forms you must file.

Elections Department staff will provide you with a calendar. For technical advice on completing the forms, call the Fair Political Practices Commission at 1-866-275-3772 (1-866-ASK-FPPC); FAX: 916-322-0886; or visit their website at <http://www.fppc.ca.gov>

**Fourth** File Forms 410 and 460 to terminate the committee upon completion of your initiative efforts.



## **If the initiative goes to an Election**

### **Calendar**

The Elections Department will develop a calendar for the election, including dates when arguments, rebuttals, and campaign statements need to be filed.

### **Arguments & Rebuttals (§9120)**

Obtain a copy of the "Guide to Writing Arguments, Rebuttals, and Analyses for County Measures," prepared by the Tehama County Elections Department. This guide provides deadlines and outlines procedures for filing arguments, rebuttals, and analyses for county measures.

Article 3 (commencing with §9160) shall govern the procedures for submitting arguments for county initiatives.

### **Analyses (§9160)**

County Counsel shall prepare a 500-word or less impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure.

The county auditor may prepare a fiscal analysis of the effect on county revenues or expenditures.

### **Conflicting Measures (§9123)**

If the provisions of two or more ordinances adopted at the same election conflict, the ordinance receiving the highest number of affirmative votes shall control

### **Enacting Clause (§9124)**

The enacting clause of an ordinance submitted to the voters of a county shall be substantially in the following form:

"The people of the County of Tehama ordain as follows."

### **Assigning a Letter (§13109)**

Letters designating measures will be assigned by the elections official pursuant to Elections Code §13116. Measures will be assigned in alphabetical order beginning with the letter following the last letter assigned in the previous election and continuing through Z, or as close to the end of the alphabet as possible to accommodate all measures filed for the current election. For example, if the previous election ended with measure V, and five measures are on the next ballot, the measures will be assigned A, B, C, D, E rather than W, X, Y, Z, A.

For districts that overlap into other counties, the counties will mutually agree to use a letter designation for the measure that will not conflict or confuse the voter.

Measures will appear on the ballot in the following order: Schools, County, Cities, Districts.

**Board Action (§10400, 10401)**

The Board of Supervisors will adopt a resolution calling the election and consolidating it with other elections being conducted in the same jurisdiction on the same day.

The resolution will include the 75-word ballot question that is printed on the ballot.

**Ballot Question (§13247)**

The statement of all measures submitted to the voters shall be abbreviated on the ballot. The statement shall contain not more than 75 words of each measure to be voted on, followed by the words, "Yes" and "No"

**Form of Ballot Question (§13119)**

The ballots used when voting upon a proposed county, city or district ordinance as an initiative measure shall have printed on them the words "Shall the ordinance (stating the nature thereof) be adopted?" Opposite the statement of the ordinance to be voted on, and to its right, the words "Yes" and "No" shall be printed on separate lines, with voting squares. A yes vote is in favor of the adoption of the ordinance; a no vote shall be counted against its adoption.

## A Sample Calendar

The following is an example of deadlines for doing a county initiative. E = Election Day, followed by the number of days prior to or following the Election Day when the various steps should be taken.

Once a Notice of Intent is filed, the Elections Department staff will assist in developing a calendar specific to your initiative. State statute mandates some deadlines; others are suggested times in order to provide the maximum amount of time to circulate petitions. All codes refer to the Elections Code unless otherwise stated.

E-383	Elections official receives Notice of Intent and delivers same to County Counsel
E-368	Within 15 days, County Counsel returns title and summary to elections official who delivers to proponents
E-367	Proponents must, <u>prior to circulation of the petition</u> , publish the Notice of Intention and file proof of publication with the elections official.
E-363	Proponents submit petition with signatures within 180 days
E-183	Elections official has 30 working days to certify results to Board of Supervisors.
E-128	Board of Supervisors has three options to exercise at its meeting where the elections official presents its findings that an initiative petition is sufficient. <ol style="list-style-type: none"> <li>1. Adopt the ordinance, without alteration</li> <li>2. Call an election (date to be determined by the percentage of voters who signed petition)</li> <li>3. Board to call the election or adopt the ordinance without alteration.</li> </ol>
E-88	Last day Board can consolidate a measure with a regular election. Letters will be assigned to measures by the elections official after 5 p.m. (§10403)
E-88	Elections official to publishes the deadline for submitting arguments.  Last day for Board of Supervisors to direct County Auditor to write an analysis of a county measure.
E-81	Last day to submit direct arguments.
E-74	Last day to submit rebuttal arguments.
E-62	Finalize materials for printer.
E	Election Day – Polls open at 7am and close at 8pm
E+1 to E+28E	Official Canvass
	<b>§§ 9160, 9163, 9167, 9306; Government Code (GC) § 6061</b>

# Word Count Guidelines

## Elections Code Section 9

**The following rules are for computing the word count.**

<p><b>NOT</b> Counted in the Word Count</p>	<ul style="list-style-type: none"> <li>• The heading and signature block are not included in the word count</li> <li>• Punctuation marks are not counted</li> </ul>
<p><b>EACH</b> Word or Symbol Counts as <b>ONE</b> Word</p>	<ul style="list-style-type: none"> <li>• Names of persons and things John Smith (2 words); The Tea Parlor (3 words)</li> <li>• Punctuation marks are not counted</li> <li>• Monetary amounts: One thousand dollars (3 words); seventy dollars (2 words)</li> <li>• Symbols such as &amp; and # are not punctuation and count as one word</li> </ul>
<p><b>ONE</b> Word</p>	<ul style="list-style-type: none"> <li>• Dictionary words</li> <li>• The words "a", "the", "and", "an", are counted as individual words</li> <li>• Geographical names of cities, states, and counties such as County of Tehama, City of Red Bluff, North Dakota</li> <li>• Abbreviations: PTA, USMC, A.M., pm</li> <li>• Internet address: <a href="http://www.tehama.gov/elections">www.tehama.gov/elections</a></li> <li>• Dates: All digits together: 02/26/2025</li> <li>• Numbers: 1, 10, 100, 1,000, etc.</li> <li>• Numeric combinations: 1972, 18 1/2, 1995 – 1998, 3%</li> <li>• Monetary amounts: When dollar sign is used with figures: \$1,000</li> <li>• Phone/Fax numbers: 527-8190 or 530-527-8190</li> <li>• Regularly hyphenated words appearing in any generally available standard reference dictionary published within the United States within 10 years preceding the election. County as a separate word each part of all other hyphenated words.</li> </ul>
<p><b>TWO</b> Words</p>	<ul style="list-style-type: none"> <li>• Dates: Words and digits: February 26, 2025</li> <li>• Combination of a number and a word: \$2 million; 25 percent</li> </ul>
<p>If the argument exceeds the word limit, you must delete or change enough words to put the argument within the required word limit before you file the argument. The ROV will not accept the argument if it exceeds the word count.</p> <p><b>You must correct any misspellings before you file the argument because the Elections office <u>WILL NOT</u> make any corrections.</b></p>	

## **Notice of Intention to Circulate Petition Example**

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the County of Tehama for the purpose of qualifying for the ballot and initiative measure entitled \_\_\_\_\_.

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

*A 500-word optional statement outlining the reasons for the proposed petition may be printed here.*

The notice shall contain the printed name, signature, and business or residence address of at least one, but not more than five, proponents. The printed names, signatures, and business or residence addresses of the proponents are as follows:

\_\_\_\_\_  
Signature of Proponent

\_\_\_\_\_  
Signature of Proponent

\_\_\_\_\_  
Business or Residence Address

\_\_\_\_\_  
Business or Residence Address

\_\_\_\_\_  
City/State/Zip Code

\_\_\_\_\_  
City/State/Zip Code

*Include here the written text of the initiative and a request that a ballot title and summary be prepared.*

**The Notice of Intention must include:**

1. The written text of the measure
2. A request for a ballot title and summary prepared by County Counsel for countywide measures;
3. Payment of \$200 fee
4. Statement of acknowledgement

## **Proponent Statement of Acknowledgement Example**

*Must be submitted with Notice of Intent and filed with County Counsel*

The proponents of an initiative measure shall ensure that any person, company, or other organization that is paid, or who volunteers, to solicit signatures to qualify the proposed measure for the ballot shall receive instruction on the requirements and prohibitions imposed by state law with respect to circulation of the petition and signature gathering thereon, with an emphasis on the prohibition on the use of signatures on an initiative petition for a purpose other than qualification of the proposed measure for the ballot.

I, \_\_\_\_\_, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

\_\_\_\_\_ Dated: \_\_\_\_\_, 20\_\_  
(Signature of Proponent)

This certification shall be kept on file by County Counsel for not less than eight months after the certification of the results of the election for which the measure qualified, or if the measure, for any reason, is not submitted to the voters, eight months after the deadline for submission of the petition to the elections official.

Failure to comply with this section shall not invalidate any signatures on a state or local initiative petition.

# Petition Format - Initiative Measure to be Submitted Directly to the Voters

## Example

The County Counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:

### Ballot Title and Summary

(See petition format for more information)

### Notice of Intent to Circulate Petition

(See petition format for more information)

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within Tehama County for the purpose of **(insert purpose of measure)**. A statement of the reasons **of the proposed action as contemplated in the petition is as follows.**

### Insert Text of Measure

(Type should not be smaller than 8 point; it must be clearly separated from the ballot title and summary above)

### NOTICE TO THE PUBLIC

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

This Column for Official Use Only

1.	Print Name	Residence Address	
	Signature (as registered to vote)	City	
2.	Print Name	Residence Address	
	Signature (as registered to vote)	City	

### DECLARATION OF PERSON CIRCULATING SECTION OF INITIATIVE PETITION

**(MUST BE IN CIRCULATOR'S OWN HANDWRITING)**

**(See Petition Format for more information)**

I \_\_\_\_\_ declare:  
(print name)

1. My residence address is \_\_\_\_\_ in Shasta County, California, and I am a voter or qualified to vote in (insert electoral jurisdiction);
2. I personally circulated the attached petition for signing;
3. I witnessed each of the appended signatures being written on the petition and to my best information and belief, each signature is the genuine signature of the person whose name it purports to be; and
4. The appended signatures were obtained between the dates of \_\_\_\_\_ and \_\_\_\_\_ inclusive. (starting date) (ending date)

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

Executed on \_\_\_\_\_ at \_\_\_\_\_, California.

\_\_\_\_\_  
(signature)

It is recommended that you leave a 1" margin at the top, and a 1/2" margin on the left, right and bottom

## **Circulator Statement of Acknowledgement**

*Must be kept by Person, Company, or Organization gathering signatures*

Prior to soliciting signatures on an initiative petition, a circulator shall execute and submit to the person, company official, or other organizational officer who is in charge of signature gathering a signed statement that reads as follows:

I, \_\_\_\_\_, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

\_\_\_\_\_ Dated: \_\_\_\_\_, 20\_\_  
(Signature of Circulator)

This certification shall be kept on file by the person, company official, or other organizational officer who is in charge of signature gathering for the proposed initiative measure for not less than eight months after the certification of the results of the election for which the measure qualified, or if the measure, for any reason, is not submitted to the voters, eight months after the deadline for submission of the petition to the elections official.

This certification does not apply to unpaid circulators of state or local initiative petitions.

Failure to comply with this section shall not invalidate any signatures on a state or local initiative petition.