

DECLARATION OF CANDIDACY

Candidates for school board member and special district director must file a Declaration of Candidacy between July 18, 2016 and August 12, 2016. § 10510

There is no filing fee. Nomination signatures are not required.

July 18, 2016 is the first day that candidates for school board members and special district directors may obtain the Declaration of Candidacy and Candidate's Statement of Qualifications forms. These forms are available at the Registrar of Voters' office, 1300 S. Grand Ave., Building C, Santa Ana. § 10510

Information to be completed by the candidate on the Declaration of Candidacy form includes the candidate's name, occupation (ballot) designation, residence address, mailing address, and phone number. The Declaration of Candidacy must be filed by August 12, 2016, 5:00 p.m.* § 10511


***EXCEPTION:** If a Declaration of Candidacy for an incumbent elective member of a school district or director of a special district is not filed by 5:00 p.m. on August 12, 2016, the filing period is extended until 5:00 p.m. on August 17, 2016, for those offices in which the incumbent failed to file. During this extended period, candidates, other than the incumbent, may file a Declaration of Candidacy. This does not apply if there is no incumbent eligible to be reelected.

If a person is a candidate for a nonpartisan office, all reference to party affiliation must be omitted on all forms required to be filed. § 8002

No person shall file Nomination Papers for more than one school or community college district office, including a county board of education office, at the same election. § 10603(c)

If a candidate changes his/her name within one year of any election, the new name shall **not** appear upon the ballot unless the change was made by either of the following: (a) Marriage; (b) Decree of any court of competent jurisdiction. § 13104

For candidates with long names, there is a possibility that the Registrar of Voters' data system may split the name. Due to the space limitations, the Registrar of Voters' office is unable to change column size, font size, etc., to accommodate long names. The candidates should keep this in mind as they designate how they want their names to appear on the ballot.

 Assembly 1316 was signed into law by Governor Brown in August of 2013 and **went into effect on January 1, 2014**. It eliminates the practice of permitting candidates to select a number to be printed alongside their name on ballot materials if a candidate with a similar name files for the same office. The bill requires the elections official to assign each such candidate a number based on the order in which the candidates filed their nomination papers. It requires that the first candidate be assigned the number "1", with each subsequent candidate with a similar name being assigned the next number in numerical

sequence until each candidate with a similar name has been assigned a distinguishing number. The law also requires the elections official to conduct a drawing of the numbers assigned to the candidates in a similar manner as provided for by existing law to determine the order on the ballot for candidates with similar names. **§ 13118**

The candidate must take the Oath of Allegiance before the deputy receiving the form. (The Oath may alternatively be taken before a Notary Public.)

A candidate may, in a dated, signed, written statement designate a person to obtain a Declaration of Candidacy form from the Registrar of Voters' office and deliver it to the candidate. Such statement shall include language indicating that the candidate is aware that the Declaration of Candidacy must be properly executed and delivered to the Registrar of Voters' office of the county of the candidate's residence by the 88th day prior to the General Election, **August 12, 2016. Any person may return the completed Declaration of Candidacy.** **§ 8028**

IMPORTANT
In the event that the Declaration of Candidacy form is being returned to the Registrar of Voters' office by a person other than the candidate, the Declaration of Candidacy form/the Oath of Office **must be notarized** prior to filing with the Registrar of Voters' office. **A California notary must be used for the document to be legally filed.** (See back of Declaration of Candidacy form drafted by the Secretary of State and Elections Code Section 8028)

There is no filing fee. The last day to file as a candidate is **August 12, 2016, 5:00 p.m.** The last day to withdraw as a candidate is **August 12, 2016, 5:00 p.m.**

§§ 10510, 10603 (b)

No candidate nominated at any primary election may withdraw as a candidate at the ensuing general election except those candidates permitted to withdraw by this part. **§ 8801**

If the filing period is extended, candidates for the extended office may withdraw from the election until **August 17, 2016, 5:00 p.m.**, the 83rd day before the election.

No vacancy on the ballot for a nonpartisan office at a General Election shall be filled except by reason of the death occurring at least 68 days before the date of the General Election. **§ 8803(a)**

Whenever a candidate has been nominated at any Primary Election after having filed a Declaration of Candidacy, the name of the candidate shall be printed upon the ballot for the ensuing General Election unless the candidate has died and that fact has been ascertained by the officer charged with the duty of printing the ballots, at least 68 days before the day of the election. **§ 8810**

No vacancy on the ballot for a voter-nominated office at a General Election shall be filled. If a candidate who is entitled to appear on the General Election ballot dies, the name of that candidate shall appear on the General Election ballot and any votes cast for that candidate shall be counted in determining the results of the election for that office. If the deceased candidate receives a majority of the votes cast for the office, he or she shall be considered elected to that office and the office shall be considered vacant at the beginning of the term for which the candidate was elected. The vacancy shall be filled in the same manner as if the candidate had died after taking office for that term. **§ 8803(b)**