

Guide to Filing Measure Arguments

FOR COUNTY, CITIES, SCHOOL, AND SPECIAL DISTRICTS



Photo Credit: Jerome Gibson

2020

Contra Costa County Elections
555 Escobar Street, Martinez, CA 94553
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DISCLAIMER

This informational guide was developed in an effort to provide answers to questions frequently asked concerning the filing of measure arguments. It contains general information only and does not have the force or effect of law, regulations, or rule. In case of a conflict, the laws, regulations or rules apply. Persons using this guide accept responsibility for all legal standards and duties. For information on City measures, please contact the local City Clerk as guidelines may vary.

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PURPOSE OF THIS GUIDE

This guide is intended to be a reference to political entities, interested organizations, and individuals on how they may participate in the process.

Generally, this guide applies for city measures. Cities may implement law differently than described in this guide. Regarding arguments for city measures, consult the City Clerk.

WHAT IS PUBLISHED IN THE VOTER INFORMATION GUIDE

The following components comprise the information provided to voters in the Voter Information Guide:

Measure Wording

The Measure Wording is a 75-word ballot question that appears on the Official Ballot and in the Voter Information Guide.

Election Code 9051

Impartial Analysis

The County Counsel or City Attorney prepares an Impartial Analysis of a measure showing the effect of the measure on the existing law and the operation of the measure. The City Attorney prepares an Impartial Analysis of a city measure.

The Impartial Analysis may be up to 500 words.

Election Code 9160, 9280, 9313, 9314, 9500

Tax Rate Statement (if applicable)

A Tax Rate Statement is supplied for each bond measure that creates a lien on a property within the jurisdiction. The Tax Rate Statement is prepared by the jurisdiction proposing the measure.

There is no word limit for Tax Rate Statements.

Election Code 9401, 9402

Fiscal Analysis (if applicable)

The County Auditor-Controller may be requested to prepare a Fiscal Analysis by the Board of Supervisors or City Council.

The Fiscal Analysis Statement may be up to 500 words.

Election Code 9160

Arguments In Favor and Arguments Against a Measure

Each Argument In Favor or Against may be up to 300 words.

Election Code 9162, 9315

Rebuttal Argument

A Rebuttal Argument is a statement, which refutes an Argument In Favor or Argument Against a Measure.

Each Rebuttal Argument may be up to 250 words.

Election Code 9167, 9317

Full Text (optional)

The full text of the measure being voted upon may be published, to provide voters information in addition to the 75-word measure. The full text is usually a resolution or ordinance that offers additional information regarding the measure.

There is no word limit for the full text.

Order of Appearance

Arguments, Rebuttal Arguments, and analyses are printed in the Voter Information Guide and mailed to all registered voters in the jurisdiction who are eligible to vote for the particular measure.

Election Code 13109

The information appears in the following order:

1. Measure Wording
2. Impartial Analysis
3. Fiscal Analysis or Tax Rate Statement (if applicable)
4. Argument In Favor
5. Argument Against
6. Rebuttal to Argument In Favor
7. Rebuttal to Argument Against
8. Full Text (optional)

All content is translated into Spanish and Chinese and will appear in English, Spanish, and Chinese in that order.

ARGUMENT SUBMISSION PROCESS

Submit Arguments to: Contra Costa County Elections Division
555 Escobar Street
Martinez, CA 94553

Submissions must include:

Hardcopies of the Arguments with wet signatures must be filed in person or by mail to the Elections Division at 555 Escobar Street Martinez, CA 94553. A faxed or electronic PDF of the Argument document (including signatures) may be submitted to meet the filing deadline but hardcopies with the wet signatures must be provided within three business days of the faxed or electronic submission.

The argument language must also be submitted electronically as an editable text file to cfile@vote.cccounty.us by the deadline.

The argument will be formatted for the Voter Information Guide to appear as closely as possible to the hardcopy submitted.

Confidentiality: Arguments, rebuttals and analyses are not disclosable until 5pm on the date they are due. At that time, the contents become public information.

Withdrawal/Changes: Arguments, rebuttals and analyses may be changed or withdrawn up until the submission deadline.

Election Code 9163, 9316, 9317, 9601

Public Review: Following the final deadline for filing documents, arguments and rebuttals are available at the Registrar of Voter's Office for a 10-day public review period.

Any challenges of the measure documents may be sought from the Superior Court to require amendments or deletions through a Writ of Mandate or injunction. A Writ of Mandate or an injunction will be issued by the Superior Court upon clear and convincing proof that the material in question is false, misleading, or inconsistent.

Administrative challenges of arguments, rebuttals and analyses will not be accepted or entertained by the Registrar of Voters.

Election Code 9190, 9295, 9380, 9509

Rebuttal Arguments: Rebuttal Arguments In Favor or Against a Measure are filed with the Elections Division. The Registrar establishes the deadlines for the arguments for all elections in which multiple jurisdictions participate. Cities establish deadlines only when the election is not consolidated or combined with other entities. Arguments are not disclosable until the deadline.

Rebuttal Arguments are shared with those submitting Primary Arguments for purposes of drafting Rebuttal Arguments at the deadline.

Arguments In Favor and Arguments Against measures are sent immediately after the submission deadline to those arguing the opposite position for the purpose of preparing a Rebuttal Argument.

Rebuttal Arguments must be signed by the same authors of the original arguments in favor or against unless the original signers of the arguments authorize, in writing, others to sign the Rebuttal Arguments. A “Release for Rebuttal Argument” should be filed with the Rebuttal Arguments.

Election Code 9167, 9285, 9317, 9504

WHO CAN SUBMIT AN ARGUMENT

The governing board (Board of Supervisors, School Board or Special District Board), any individual voter who is eligible to vote on the measure, a bona fide association of citizens, or any combination of these voters and associations may file a written Argument In Favor or Argument Against any county, school, or district measure placed on the ballot by the governing body or by initiative.

Election Code 9120, 9162, 9501

What is a Bona Fide Association of Citizens?

A bona fide association of citizens is a recognized group of citizens bound together by a common interest or cause such as:

- A group or organization primarily formed as a committee to support or oppose a ballot measure.
- An organization that meets on a regular basis.

The individuals signing an argument on behalf of a bona fide association do not have to be eligible voters in the jurisdiction. A “Bona Fide Association of Citizens Filer Data Sheet” will be filed with the arguments.

If More Than One Argument In Favor or Argument Against Is Filed

Only one Argument In Favor and one Argument Against any measure will be printed in the Voter Information Guide. If more than one Argument In Favor or more than one Argument Against any measure is filed, a single argument will be selected by the Registrar of Voters.

In selecting a single argument, the Registrar gives preference and priority, in order, to arguments submitted by:

1. Members of the governing board
2. The bona fide sponsors or proponents of the measure
3. Bona fide associations of citizens
4. Individual voters who are eligible to vote on the measure

If two or more parties representing the same type of body/association submit competing Arguments In Favor or Arguments Against the same measure, the Registrar will make a subjective assessment of the arguments. The assessment may include consideration of grammar, spelling, coherence, tone and the comprehensiveness of the argument.

Parties are encouraged to collaborate when multiple arguments are submitted.

Election Code 9166, 9503

ARGUMENT & REBUTTAL FORMAT

- Submissions will be labeled with the type of argument being submitted in the heading title (ex. Argument in Favor of Measure A). This is not part of the word count.
- The heading for all arguments is standardized. Subheadings and deviations from the standardized heading will not be accepted.
- Arguments and rebuttal arguments, including the names and titles of the signers, must be typed.
- Documents will be printed as submitted. Spelling, punctuation and grammatical errors will not be corrected by the Elections Division.
- An argument or rebuttal argument must be written to address only one measure appearing on the ballot. An argument combining statements pertaining to more than one measure will not be accepted.
- No more than five names/titles will appear with any argument in the Voter Information Guide. If more than five signers are submitted, only the first five will be printed.
- All arguments and rebuttals must include an original signature of each signer. If not all signers sign on the same document, separate copies, bearing wet signatures, can be filed.
- No profanity or other objectionable language may appear in an argument.

Election Code 9164, 9501

Argument Sample

**ARGUMENT IN FAVOR
OF MEASURE _____**

**ARGUMENT
TEXT**

The undersigned Proponent(s) or Author(s) hereby state that such argument is true and correct to the best of their knowledge and belief.

Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____
Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____
Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____

Rebuttal Argument Sample

**REBUTTAL TO ARGUMENT AGAINST
MEASURE _____**

**ARGUMENT
TEXT**

The undersigned Proponent(s) or Author(s) hereby state that such argument is true and correct to the best of their knowledge and belief.

Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____
Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____
Print Name _____	Print Name _____
Title _____	Title _____
Signature _____	Signature _____

LETTER ASSIGNMENTS

Each measure to appear on the ballot is assigned a letter for identification and reporting purposes.

Timeline for Assigning Measure Letters

The Registrar of Voters assigns measure letters the Thursday (E-82) following the deadline to submit a measure (E-88).

Assignment of Letters

- Letters are assigned based upon a random draw.
- All letters are included in the random draw.
- If, during the election, all letters have been used, lettering will continue to include e.g. “AA”, “BB”, etc.
- Unused letters will not carry over to the next election. Each election will begin with a new random drawing.

When a Jurisdiction Covers Two or More Counties

When a jurisdiction covers two or more counties, the Registrar of Voters in each county will mutually agree to use the same letter for the measure.

Withdrawal of a Measure

A legislative body may amend or withdraw its measure by filing a resolution stating the specifics concerning the amendment or withdrawal not later than 83 days before an election. An initiative or referendum measure may be withdrawn by filing a “Notice of Withdrawal” signed by all proponents.

Election Code 9604, 9605

ATTACHMENT A - 2020 MEASURE KEY DATES

March 3, 2020 Primary Election

Filing Period	
December 6 <i>E-88</i>	Last day to place a measure on the ballot
December 12 <i>E-82</i>	Local measure letter assigned
December 18 <i>E-76</i>	Deadline for Primary Arguments For/Against
December 23 <i>E-71</i>	Deadline for Rebuttal Arguments
January 2 <i>E-61</i>	Last day to file Writ of Mandate
January 23 <i>E-40</i>	Estimated Voter Information Guide mailing

November 3, 2020 General Election

Filing Period	
August 7 <i>E-88</i>	Last day to place a measure on the ballot
August 13 <i>E-82</i>	Local measure letter assigned
August 19 <i>E-76</i>	Deadline for Primary Arguments For/Against
August 24 <i>E-71</i>	Deadline for Rebuttal Arguments
September 3 <i>E-61</i>	Last day to file Writ of Mandate
September 24 <i>E-40</i>	Estimated Voter Information Guide mailing

ATTACHMENT B - WORD COUNT GUIDELINES

The following guidelines are for computing the word count for arguments. The authors' titles and names are not counted in the word count, only the text of the argument. The Registrar of Voters will make final determination of the word count.

Election Code 9

<p>Acronyms Examples: UCLA, PTA, U.S.M.C.</p>	one word
<p>Geographical Names Examples: Contra Costa County Walnut Creek City of Pittsburg Bay Area</p>	one word
<p>Districts with an Elected Board Examples: Contra Costa Community College District Antioch Unified School District East Bay Regional Park District San Francisco Bay Area Rapid Transit District</p>	one word
<p>Numbers/Numerical Combinations Digits (1, 10, or 100, etc.) 1990-1991, 100%, etc. Spelled out (one, ten, or one hundred)</p>	one word one word one for each word
<p>Dates All digits (11/5/96) Word and digits (June 2, 1998)</p>	one word one word
<p>Hyphenated Words Hyphenated words that appear in any generally available standard reference dictionary, as determined by the Registrar of Voters, shall be counted as one word.</p>	one word
<p>Punctuation</p>	not counted
<p>Telephone Numbers</p>	one word
<p>Email / Website Addresses</p>	one word

ATTACHMENT C - IMPORTANT CONTACT INFORMATION

Main Number	(925) 335-7800	
Toll Free	(877) 335-7802	
Rosa Mena, Elections Processing Supervisor	(925) 335-7806	rosa.mena@vote.cccounty.us
Sara Brady, Elections Services Manager	(925) 335-7807	sara.brady@vote.cccounty.us
Scott Konopasek, Assistant Registrar of Voters	(925) 335-7800	scott.konopasek@vote.cccounty.us
Fax	(925) 335-7842	
Email	cfile@vote.cccounty.us	
Website	www.cocovote.us	