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MEMORANDUM OF LAW

Newsom Initiative Timelines and Overview of California's Ballot Initiative Process

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I. INTRODUCTION

California Lt. Governor Gavin Newsom has proposed a ballot initiative for the November 8, 2016, ballot that seeks to impose severe restrictions on firearm owners and ammunition purchasers. A ballot initiative bypasses the usual path of a proposed law through the state legislature and the Governor's office and takes a proposal straight to the voters for their decision by majority vote. This memorandum explains California's initiative process and discusses the requirements for Newsom's initiative to qualify for the November 2016 ballot.

II. THE INITIATIVE PETITION QUALIFICATION PROCESS

Under California law, a ballot initiative:

may be proposed by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by registered voters equal in number to 5 percent in the case of a statute . . . of the voters for all candidates for Governor at the last gubernatorial election preceding the issuance of the circulating title and summary for the initiative measure by the Attorney General.¹

Once a ballot initiative has been proposed to the California Attorney General, there are a number of steps that the initiative must go through before it can qualify for the November 2016 ballot. This section explains these processes, and breaks down the qualification process.

A. Submission to the Attorney General by Proponents

Before circulating a ballot initiative for signatures, the text of the proposed initiative must be submitted to the California Attorney General's Initiative by U.S. Postal Service, alternative mail service, or personal delivery.² The "proponents"³ must submit the proposed initiative with a written request that a

¹ CAL. ELECTIONS CODE § 9035.

² The Attorney General's office will only accept printed documents, and will not accept facsimile or e-mail delivery. CAL. ELECTIONS CODE § 9001(d). Moreover, at the time of submitting the text of the proposed initiative, the proponents must also pay a \$200 fee. CAL. ELECTIONS CODE § 9001(c).

³ The persons who submitted the request are referred to as the "proponents." CAL. ELECTIONS CODE § 9001(a).

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circulating title and summary of the chief purpose and points of the proposed measure be prepared.⁴ The Attorney General cannot deem a request for a circulating title and summary “submitted” until all the requirements outlined in California Elections Code section 9001 have been met.⁵

Newsom submitted the text of his initiative (“the Safety for All Act of 2016”) to the Attorney General for circulatory title and summary on October 27, 2015. That request contained the desired text for the proposed ballot initiative.

B. Public Review and Comment

After receiving the request, the Attorney General initiated a public review process and began accepting comments from the public on October 27, 2015. The public comment process lasts 30 days,⁶ but because the 30th day landed on Thanksgiving Day (November 26, 2015), the Attorney General’s office accepted public comments through November 30, 2015.

C. Period for Amendments by Proponents

During the review period, the proponents of the proposed initiative can submit amendments to the initiative that are “reasonably germane to the theme, purpose, or subject of the initiative measure as originally proposed.”⁷ Any proposed amendment must be submitted in printed form (not email or facsimile) and delivered to the Attorney General’s Initiative Coordinator by U.S. Postal Service, alternative mail service, or personal delivery, with a signed request by each proponent before the Attorney General can prepare a circulating tile and summary using the amended language.⁸

⁴ CAL. ELECTIONS CODE § 9001 (a), (d). In order for a person to be a “proponent” of an initiative, they must meet certain criteria. See CAL. ELECTIONS CODE § 9001(b)-(c).

⁵ CAL. ELECTIONS CODE § 9001(e).

⁶ CAL. ELECTIONS CODE § 9002(a).

⁷ CAL. ELECTIONS CODE § 9002(b).

⁸ CAL. ELECTIONS CODE § 9002(b)(1), (2).

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The Attorney General's office cannot accept any proposed amendment more than *five days after the public review period has concluded*.⁹ That means that the last day for Newsom to amend "the Safety for All Act of 2016" was December 7, 2015.¹⁰ The text of Newsom's current ballot initiative is now final.¹¹

D. Attorney General Issues a Title, Summary, and Number for the Initiative

The Attorney General's Initiative Coordinator has received Newsom's proposed ballot initiative and the public review and amendment period has passed. The proponents of the ballot initiative do not need to take any further steps to continue the ballot initiative qualification process.¹² The qualification process automatically continues after the public comment and amendment period ends, and will only stop if the proponents completely withdraw the initiative in accordance with California Elections Code sections 103 and 9602.

The Attorney General must prepare a circulating title and summary of the chief purpose and points of the proposed initiative measure (which should not exceed 100 words) and give the measure a unique numeric identifier.¹³ For the "title and summary, the [Attorney General] shall give a true and impartial statement of the purpose of the measure in such language that the ballot title and summary shall neither be an argument, nor be likely to create prejudice, for or against the proposed measure."¹⁴ The statement must "be written in clear and concise terms, so as to be easily understood by the average voter".¹⁵

⁹ CAL. ELECTIONS CODE § 9002(b)(4).

¹⁰ The last day to amend "the Safety for All Act of 2016" should have been on December 5, 2015. However, because that date landed on a Saturday, the date to amend was extended to December 7, 2015.

¹¹ However, a proponent is not prohibited from proposing a *new* initiative measure and requesting that a circulating title and summary be prepared for that measure by restarting the process. CAL. ELECTIONS CODE § 9002(b)(4).

¹² See CAL. ELECTIONS CODE § 9004(a).

¹³ CAL. ELECTIONS CODE § 9004(a). When preparing the circulating title and summary, the Attorney General must prepare the circulating title and summary in accordance with California Elections Code sections 9050-9054. CAL. ELECTIONS CODE § 9004(a).

¹⁴ CAL. ELECTIONS CODE §§ 9004(a), 9051(c).

¹⁵ CAL. ELECTIONS CODE §§ 9051(a)(2); 9087(b); CAL. GOV. CODE § 88003.

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In the title and summary, the Attorney General must include in bold face print, “either the estimate of the amount of any increase or decrease in revenues or costs to the state or local government, *or* an opinion as to whether or not a substantial net change in state or local finances would result if the proposed initiative is adopted.”¹⁶ The estimate must “be made jointly by the Department of Finance and the Legislative Analyst . . . *within 50 days* of the date of receipt of the proposed initiative,” unless both entities believe “a reasonable estimate of the net impact of the proposed initiative measure cannot be prepared within the 50-day period.”¹⁷ The statement of this estimate does not count toward the 100-word limit for the circulating title and summary.¹⁸ The Attorney General must provide a copy of the circulating title and summary and its unique numeric identifier to the proponents and to the Secretary of State *within 15 days* after receipt of the fiscal estimate or opinion prepared by the Department of Finance and the Legislative Analyst pursuant to Section 9005. The date the copy is delivered or mailed to the proponents is the “official summary date.”¹⁹ Accordingly, the deadline for issuing the circulating title and summary is 65 days from the date the proposed initiative was first received by the Attorney General.

E. Review by State Legislature

“[I]mmediately upon the preparation of the circulating title and summary of a proposed initiative [the Attorney General must] . . . transmit copies of the text of the measure and the circulating title and summary to the Senate and the Assembly.”²⁰

Once copies of the text have been transmitted, “[t]he appropriate committees of each house *may* hold public hearings on the subject of the measure.”²¹ The Legislature cannot alter the proposed ballot

¹⁶ CAL. ELECTIONS CODE § 9005(a).

¹⁷ CAL. ELECTIONS CODE § 9005(b)-(c).

¹⁸ CAL. ELECTIONS CODE §§ 9004(a), 9051(a)(1).

¹⁹ CAL. ELECTIONS CODE §§ 9004(b)

²⁰ CAL. ELECTIONS CODE § 9007.

²¹ CAL. ELECTIONS CODE § 9007 (emphasis added).

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initiative or prevent it from appearing on the ballot.²² This legislative review has no impact on the timeline for qualifying a ballot initiative. However, during this legislative review process, the Legislature could pass legislation or otherwise act in a way that might cause the proponents to withdraw the initiative entirely.

F. Transmittal to Secretary of State

In addition to providing a copy of the circulating title, summary, and unique numeric identifier to the Legislature, the Attorney General must also provide that information to the proponents of the initiative and the Secretary of the State *within 15 days* of receiving “the fiscal estimate or opinion prepared by the Department of Finance and Legislative Analyst,” as explained above.²³ The date the estimate or opinion is delivered *or* mailed to the proponents is the “official summary date.”²⁴

Assuming each required step is performed on the last day statutorily allowed, the “official summary date” for “the Safety for All Act of 2016” will be on *February 10, 2016*. For the reasons explained below, the initiative is already somewhat behind in the process. This could affect the amount of time Newsom has to collect signatures.

G. Secretary of State Calendar and Distribution

Once the Secretary of State receives the circulating title and summary from the Attorney General, the Secretary must, *within one business day*, notify the proponents and each county’s elections official of the “official summary date” and provide a copy of the circulating title and summary to each county’s elections official.²⁵ The notice of “official summary date” must include a complete schedule showing the

²² CAL. ELECTIONS CODE § 9007.

²³ CAL. ELECTIONS CODE § 9004(b).

²⁴ CAL. ELECTIONS CODE § 9004(b). The “official summary date” is the first date signatures for the ballot initiative can be collected. CAL. ELECTIONS CODE § 9014(a).

²⁵ CAL. ELECTIONS CODE § 9004(c).

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“*maximum filing deadline*”²⁶ and the “*certification deadline*”²⁷ by the counties to the Secretary of State.²⁸ The Secretary of State provides a list of suggested deadlines to timely qualify a ballot initiative,²⁹ and once the Secretary of State issues the official Secretary of State calendar for the ballot measure we can confirm these deadlines with respect to the Newsom initiative.

III. SIGNATURE GATHERING PROCESS

A. 365,800 Signatures Collected in 180 days

Newsom must collect signatures equal in number to at least 5% of the total votes cast for Governor in the last gubernatorial election.³⁰ *The total number of signatures required for initiative statutes is 365,880 per the California Secretary of State website.*³¹ However, Newsom will need to collect more than that to ensure he has enough valid signatures after accounting for any void or otherwise unacceptable signatures that cannot be counted.

Proponents have a *maximum of 180 days* from the “official summary date” (*i.e.*, the date a copy of the circulating title and summary is delivered or mailed to the initiative’s proponents) to circulate petitions and collect signatures.³²

²⁶ This is the last day by which the proponents must file their signature petitions to county election officials, which is explained in further detail later in this memorandum.

²⁷ This is the last date by which county election officials must certify the number of valid signatures appearing on the petitions the proponents filed with them, which is explained in further detail below.

²⁸ CAL. ELECTIONS CODE § 9004(c). The following website will be updated with each of those dates: <http://www.sos.ca.gov/elections/ballot-measures/initiative-and-referendum-status/initiatives-referenda-cleared-circulation/>.

²⁹ See *Statewide Initiative Guide – Appendix A*, CALIFORNIA SECRETARY OF STATE ALEX PADILLA, available at <http://www.sos.ca.gov/elections/ballot-measures/how-qualify-initiative/initiative-guide/>.

³⁰ CAL. CONST., art. II, § 8(b); CAL. ELECTIONS CODE § 9035.

³¹ *How to Qualify for an Initiative*, CALIFORNIA SECRETARY OF STATE ALEX PADILLA, available at <http://www.sos.ca.gov/elections/ballot-measures/how-qualify-initiative/>.

³² CAL. ELECTIONS CODE § 9014(a),(b). Unless the “summary date” falls on “a holiday, as defined in Chapter 7 (commencing with Section 6700) of Division 7 of Title 1 of the Government Code,” in which case, “the petition may be filed with the county elections official on the next business day.” CAL. ELECTIONS CODE § 9014(d).

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B. Petition Circulation and Circulator Declaration

The petition may be circulated by a number of individuals carrying separate, identical parts of the petition called sections. Each section shall have a declaration by the circulator of the petition stating, in the circulator's own hand, the following:³³

- (1) The printed name of the circulator; *and*
- (2) The residential 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 ascertained; *and*
- (3) The dates between which all the signatures affixed to the petition were obtained. Preprinted dates or generalized dates, other than the particular range of dates during which the petition section was actually circulated, are not allowed.³⁴

Each declaration must also contain the following:

- (1) That the circulator is 18 years of age or older; *and*
- (2) That the circulator circulated the petition section and witnessed the appended signatures being written; *and*
- (3) 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; *and*
- (4) That the declaration is true and correct.³⁵

The declaration is signed under penalty of perjury. The declaration does not need to be sworn before a notary public or other officer authorized to administer oaths, but must include the circulator's signature, date, and place of signing preceding the circulator's signature.³⁶

The proponents are required to ensure that any person, company, or other organization who solicits signatures to qualify the initiative measure, whether they are paid or volunteer, receives

³³ CAL. ELECTIONS CODE §§ 102,104, 9022.

³⁴ *Assembly v. Deukmejian*, 30 Cal.3d 638 (1982).

³⁵ CAL. ELECTIONS CODE §§ 104, 9022.

³⁶ CAL. ELECTIONS CODE §§ 104, 9022; CAL. CODE CIV. PROC. § 2015.5.

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instruction on the requirements and prohibitions imposed by state law with respect to the circulation of petitions and the gathering of signatures. Such instructions must emphasize the prohibition of the use of signatures on an initiative petition for a purpose other than qualification of the proposed measure for the ballot.³⁷ Early signature gathering is prohibited under California law.³⁸

C. Qualifying Petition Signatures

Only persons who are registered, qualified voters at the time of signing are entitled to sign the petition.³⁹ A person can only sign a petition that is being circulated in his or her county of registration.⁴⁰ If a petition circulator is a registered voter, he or she may sign the petition he or she is circulating.⁴¹

Each signer must personally place on the petition his or her signature, printed name, residence address (or physical description of the location if there is no street address), and the name of the incorporated city or unincorporated community.⁴² This information cannot be *preprinted* on the petition.⁴³

Each signer may sign an initiative petition only once.⁴⁴

D. Restrictions on Signature Gatherers

California's Election Code imposes certain criminal penalties for abuses related to the circulation of initiative petitions. The law prohibits petition circulators from doing any of the following:⁴⁵

- (1) Misrepresenting the purpose or contents of the petition to potential petition signers.
- (2) Intentionally making a false statement in response to a voter's inquiry as to whether the circulator is a paid signature gatherer or a volunteer.

³⁷ CAL. ELECTIONS CODE § 9607.

³⁸ CAL. ELECTIONS CODE § 9014(a).

³⁹ CAL. ELECTIONS CODE § 105.

⁴⁰ CAL. ELECTIONS CODE § 9020.

⁴¹ CAL. ELECTIONS CODE §§ 105, 9020, 9021.

⁴² CAL. ELECTIONS CODE § 100.

⁴³ CAL. ELECTIONS CODE § 100.

⁴⁴ CAL. ELECTIONS CODE § 18612.

⁴⁵ CAL. ELECTIONS CODE §§ 18600-18603; 18610-18614; 18660, 18661.

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- (3) Making false affidavits (for example, the circulator's declaration is an affidavit), returns, or certifications concerning any proposed initiative measure.⁴⁶
- (4) Refusing to allow prospective signers to read the proposed initiative measure or petition or Attorney General's summary.
- (5) Offering or giving payment or anything of value to another in exchange for signing an initiative petition (no one is allowed to do this).⁴⁷
- (6) Soliciting or causing to be signed any false, forged, fictitious, or ineligible signatures and names or names of another.⁴⁸
- (7) Permitting signatures on a petition which bears the name of a different county than the county of registration of the person signing.
- (8) Circulating petitions within 100 feet of a polling place or an elections official's office on election day is prohibited.⁴⁹

The petition or list of signatures gathered cannot be used for any purpose other than qualification of the initiative measure.⁵⁰ This requirement prohibits using the names and addresses on petition sections for a mailing list for fundraising or other purposes, like, for example, Newsom's campaign for the governorship.

E. Regulation of Opponents to Signature Collections

The public is generally free to speak against the Ballot Initiative in a non-threatening manner wherever signatures are being gathered, to ask the signature gatherer if he is being paid and about the contents of the proposed initiative measure/petition, to request to read the proposed initiative measure/petition and Attorney General's summary, and to film the collection of signatures.

⁴⁶ CAL. ELECTIONS CODE §§ 18660, 18661

⁴⁷ CAL. ELECTIONS CODE § 18603.

⁴⁸ CAL. ELECTIONS CODE §§ 18610-18613.

⁴⁹ CAL. ELECTIONS CODE § 18370(a).

⁵⁰ CAL. ELECTIONS CODE § 18650.

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The public is generally *not* allowed to do any of the following:

- Solicit or obtain money or anything of value to aid in unlawfully stopping circulation or the filing of a proposed initiative measure or for withdrawing a proposed initiative measure after filing it with an elections official.⁵¹
- Steal petitions or threaten petition circulators or circulators' relatives with the intent to dissuade them from circulating the petition.⁵²
- Sign or solicit others to sign false, forged, fictitious, or ineligible names or the names of others.⁵³

F. Withdrawing Petition Signatures

Any voter who has signed an initiative petition may withdraw his or her name by filing a written request for withdrawal with the appropriate county election officials prior to the date the petition is filed by the proponents with the respective county election officials.⁵⁴ Although the code section authorizing withdrawal does not prohibit individuals from signing a petition with the intent to withdraw their signatures later, doing so may violate statutory restrictions on providing false signatures.

IV. BALLOT QUALIFICATION PROCESS

Newsom's ballot initiative must qualify *at least* 131 days before the general election on November 8, 2016.⁵⁵ That means that it must qualify by June 30, 2016. This section explains the steps that must take place between the signature gathering state and the June 30 ballot qualification deadline.

⁵¹ CAL. ELECTIONS CODE §§ 18620-18622.

⁵² CAL. ELECTIONS CODE §§ 18630, 18631

⁵³ CAL. ELECTIONS CODE §§ 18612, 18613

⁵⁴ CAL. ELECTIONS CODE §§ 103, 9602.

⁵⁵ CAL. CONST. art. II, § 8(c); CAL. ELECTIONS CODE § 9016.

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A. (Another) Legislative Review

Once the proponents have gathered 25% of the required signatures needed to qualify for the ballot (about 91,470 signatures according to the California Secretary of State website), the proponents must *immediately* certify to the Secretary of State, under penalty of perjury, that they have 25% of the required signatures.⁵⁶ After receiving this certification, the Secretary of State must (again) provide copies of the proposed ballot initiative and the circulating title and summary to the Senate and Assembly.

Unlike the *optional* legislative review of the circulating title and summary, at this stage each house (*i.e.*, Senate and the Assembly) must assign the proposed ballot initiative to its appropriate committees and hold joint public hearings, at least 131 days before the date of the election that the ballot initiative will be voted on.⁵⁷ As with the first review, the Legislature cannot amend the proposed ballot initiative or prevent it from appearing on the ballot.⁵⁸ But again, the proponents of the initiative might be persuaded to withdraw it.

B. Filing Petitions with County Election Officials

Once the proponents have obtained the requisite number of signatures, they must file their petition(s), containing the signatures with the respective county election official.⁵⁹ County election officials cannot receive or file any initiative petition not in conformity with the above requirements (*i.e.*, those requirements found in California Elections Code sections 9001-9013).⁶⁰

⁵⁶ CAL. ELECTIONS CODE § 9034.

⁵⁷ CAL. ELECTIONS CODE § 9034.

⁵⁸ CAL. ELECTIONS CODE § 9034.

⁵⁹ CAL. ELECTIONS CODE § 9030.

⁶⁰ CAL. ELECTIONS CODE § 9015.

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The proponents can submit the petitions in sections.⁶¹ However, all the sections submitted in a single county must be filed at the same time and must contain only signatures of registered voters in that particular county.⁶²

To prevent unauthorized petitioners from circulating or filing petitions, only the proponents or persons authorized in writing by at least one proponent can file initiative petitions with a county election official.⁶³ The petitions must be filed with the election official in the county in which it was circulated. Once filed, petitions may not be amended, except by order of a court of competent jurisdiction.⁶⁴

C. Verification of Signatures By County Election Officials

Within eight business days after the proponents file the petition with the respective county election official, each official must determine the total number of signatures submitted in their county and report the total number to the Secretary of State.⁶⁵

If the raw count of signatures on the petitions submitted to the Secretary of State from all county election officials does not total 100% of the requisite number of signatures required, the Secretary of State must notify both the proponents and each of the county elections officials of the failure of the proposed initiative measure, and no further action will be taken on that petition (*i.e.*, the petition is dead).

If the raw count equals 100% or more of the total number of signatures needed to qualify the ballot initiative, the Secretary of State will *immediately* notify the county elections officials.⁶⁶ *Within 30*

⁶¹ CAL. ELECTIONS CODE § 9015.

⁶² CAL. ELECTIONS CODE § 9015.

⁶³ CAL. ELECTIONS CODE § 9032; *see also* CAL. ELECTIONS CODE § 18671.

⁶⁴ CAL. ELECTIONS CODE § 9030.

⁶⁵ CAL. ELECTIONS CODE § 9030(b). As with county elections officials, the Secretary of State cannot receive any initiative petition not in conformity with California Elections Code sections 9001-9013. CAL. ELECTIONS CODE § 9015.

⁶⁶ CAL. ELECTIONS CODE § 9030(c).

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days (excluding weekends or holidays) of receipt of the Secretary of State's notification, county elections officials must determine the number of signatures filed with their office.⁶⁷

If there are more than 500 signatures, county elections officials must verify those 500 signatures or 3% of the number of signatures filed in their county, whichever is greater, using a random sampling verification technique provided by the Secretary of State.⁶⁸

County election officials preserve initiative petitions until eight months after the certification of the results of the election for which the initiative measure qualified or attempted to qualify for placement on the ballot. The petitions may then be destroyed unless legal action or a government investigation regarding the petitions is pending.⁶⁹

As a general rule, once the petitions are filed with their respective county officials, the petitions are not public records and are not open to the general public for inspection.⁷⁰

D. Reports to Secretary of State

"During the examination and verification of the signatures filed, the elections official or registrar of voters shall submit one or more reports to the Secretary of State showing the number of signatures of qualified voters that have been verified as of that date" to be determined by the Secretary.⁷¹

If the proposed initiative measure fails to reach the required amount of valid signatures, the initiative will fail to qualify for the ballot and the Secretary of State must notify the proponents and county elections officials.⁷² If the required number is met, making the proposed initiative measure *eligible*

⁶⁷ CAL. ELECTIONS CODE § 9030(d); CAL. CODE REGS. tit. 2, § 20521.

⁶⁸ "The random sample of signatures to be verified shall be drawn in such a manner that every signature filed with the elections official shall be given an equal opportunity to be included in the sample." CAL. ELECTIONS CODE § 9030(d).

⁶⁹ CAL. ELECTIONS CODE § 17200.

⁷⁰ CAL. GOVERNMENT CODE § 6253.5.

⁷¹ CAL. ELECTIONS CODE § 9031(c)(1).

⁷² CAL. ELECTIONS CODE § 9031.

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for qualification, the Secretary of State will immediately notify the proponents and county election officials that signature verification be terminated.⁷³

The Secretary of State will then identify the next election for which the initiative qualifies for, which must be no later than 131 days after the Secretary receives certified petitions from county elections officials with the requisite number of signatures.⁷⁴ Again, that date for the Newsome initiative is June 30, 2016.

Because an initiative must qualify at least 131 days before the election date, the method used to verify signatures (random sample or full check) will affect the deadline for petitioner(s) to file petitions with county elections officials. If a full check is necessary, the petition must be filed at least 30 days earlier, since county elections officials have up to 30 days to conduct the check. The Secretary of State has provided suggested timelines for qualifying initiatives under either verification method.⁷⁵

E. Certification as Qualified for the Ballot

On the 131st day prior to the November 8, 2016, election (*i.e.*, June 30, 2016), the Secretary of State must do the following:

- (1) Issue a certificate of qualification certifying that the initiative measure, as of that date, is qualified for the ballot; *and*
- (2) Notify the proponents of the initiative measure and the elections official of each county that the measure, as of that date, is qualified for the ballot; *and*
- (3) Include the initiative measure in a list of all statewide initiative measures that are eligible to be placed on the ballot and publish the list on the Secretary of State's Internet Web site.⁷⁶

⁷³ CAL. ELECTIONS CODE § 9033(a).

⁷⁴ CAL. ELECTIONS CODE § 9033 (b)(1).

⁷⁵ See *Statewide Initiative Guide – Appendix A*, CALIFORNIA SECRETARY OF STATE ALEX PADILLA, available at <http://www.sos.ca.gov/elections/ballot-measures/how-qualify-initiative/initiative-guide/>.

⁷⁶ CAL. ELECTIONS CODE § 9033 (b)(2)(A)-(C).

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After the Secretary of State issues this certificate, the initiative is deemed qualified for the ballot.⁷⁷ “Each measure shall be designated on the ballot by the ballot label certified to the Secretary of State by the Attorney General.”⁷⁸

V. WITHDRAWAL OF BALLOT INITIATIVE

Generally, “any person may engage in good faith bargaining between competing interests to secure legislative approval of matters embraced in a statewide . . . initiative . . . measure, and the proponents may, as a result of these negotiations, withdraw the measure at any time before filing the petition with the appropriate elections official.”⁷⁹ The proponents may also withdraw the initiative any time before the initiative qualifies for the ballot (which should be on—but certainly no later than—June 30, 2016), by providing written notice of withdrawal, signed by all proponents of the measure.⁸⁰ Newsom can withdraw his proposed initiative anytime up to June 30, 2016, by notifying the Secretary of State. Withdrawal of the initiative is effective once the Secretary of State receives written notice.⁸¹

For Further Assistance:

For links to free information on firearms laws, the Legal Resources section of our www.calgunlaws.com website has subsections on various firearms law topics. Check it out!

To stay updated on firearm law issues please subscribe to our firearms law newsletters, Facebook pages, and Twitter feed. CalGunLaws.com, CalGunLaws.com’s e-Bulletins, the [Self-Defense Defense](#), [Right to Keep and Bear Arms](#), [MichelLawyers](#), and [Shooting Range Lawyers](#) informational Facebook

⁷⁷ CAL. ELECTIONS CODE § 9033 (b)(3).

⁷⁸ CAL. ELECTIONS CODE § 9053.

⁷⁹ CAL. ELECTIONS CODE § 9604(a).

⁸⁰ CAL. ELECTIONS CODE § 9604(b),(c).

⁸¹ CAL. ELECTIONS CODE § 9604(c).

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