

**CITY OF LOS ANGELES
ORDINANCE INITIATIVE,
REFERENDUM,
RECALL &
CHARTER AMENDMENT
PETITION HANDBOOK**



**Prepared by the Election Division
Office of the City Clerk
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PREFACE

The Election Division has prepared this brief summary of the various petition processes and the requirements for petitions. The legal requirements for each petition type are contained in the City of Los Angeles Election Code, the Charter of the City of Los Angeles, the Constitution of the State of California, the California Elections Code, and the California Government Code. The following information is of a general nature only.

This booklet in no way supersedes applicable California law, Election Code or Charter Sections. Proponents should research the City Charter and Election Code and California Elections and Government Codes for further details. Election Code and Charter Section references appear in brackets in each booklet section.

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**CITY OF LOS ANGELES
PETITION HANDBOOK**

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I. INTRODUCTION

The petition process empowers voters to propose and amend City ordinances, amend the Charter of the City of Los Angeles, and to recall City and Los Angeles Unified School District (LAUSD) Board of Education officials. An initiative ordinance, recall of City and/or LAUSD Board of Education officials, referendum or charter amendment petition is placed on the ballot after its proponents successfully meet petition qualifications and deadlines described in this booklet. The City Charter, Election Code, California Elections Code, and the California Government Code specify the requirements for petitions and form the basis for these petition guidelines.

How are the different types of petitions used for the City of Los Angeles?

Ordinance Initiative Petition - Allows proponents to submit a petition requesting adoption of an ordinance by the City Council. If the Council does not adopt the ordinance, it must be submitted to the voters of the City. It also allows proponents to amend or repeal an ordinance adopted by a vote of the electors of the City of Los Angeles [Charter Sections 450-455].

Referendum Petition - Allows proponents to propose repeal of certain ordinances, before they become law, and have the measure submitted to the voters of the City of Los Angeles. The Charter also permits the Council to submit to the voters, any proposed ordinance, order or resolution that the Council itself might adopt. [Charter Sections 460-464].

Recall Petition - Allows proponents to petition for removal from office any incumbent of an elective or appointed office and have the question of removal submitted to the voters of the City of Los Angeles or the LAUSD [Charter Sections 430-434 and 438].

Charter Amendment Petition - Allows proponents to submit Charter proposals and amendments to the voters of the City of Los Angeles [California Elections Code Section 9255, California Government Code Section 34450, California Constitution Article 11 and Charter Section 450 (b)].

Who are the proponents of a petition?

The proponents (sponsors) are a committee of five registered voters of the City, whose names and addresses are required to appear on the petition.

What method is used to check petition signatures?

Signatures on petitions are verified by checking the signature on the petition with the signatures of the registered voters maintained by the Los Angeles County Registrar/Recorder. All signatures are checked until there are sufficient valid signatures to qualify the petition or until the petition is determined to be insufficient. Election Code Section 335(d) provides for an optional random sampling technique to check petitions, rather than checking all the signatures on the petition. For the random sampling technique and examples - see **Exhibit 1**.

II. ORDINANCE INITIATIVE PETITION PROCESS

An ordinance initiative petition provides a way for citizens to submit a proposed ordinance, to amend an ordinance, or to repeal an existing ordinance through a vote of the registered voters of the City of Los Angeles [Charter Sections 450 and 451].

A. Proponents (Sponsors)

Letter

- Submit a written letter requesting the preparation of an Official Title and Summary.
- The names and addresses of the five proponents, all of whom shall be registered voters of the City of Los Angeles, must appear on the letter.

and;

Petition

- List the names and addresses of five proponents, all of whom shall be registered voters of the City of Los Angeles.
- Include the full text of the proposed ordinance.
- Follow the form and wording for petitions as illustrated in Exhibits 2, 3 & 5.
- Submit two draft copies of the petition, along with the letter, to the City Clerk.

B. City Clerk

- Send written request from proponents to the City Attorney to prepare an Official Title and Summary.
- Check that the form and wording of the draft petition meets applicable requirements.

C. City Attorney

- Prepare Official Title and Summary for petition.
- Return to City Clerk within 10 days of receipt.

D. City Clerk

- Send the Official Title and Summary prepared by the City Attorney to the proponents to incorporate into the petition; and advise them of the City Clerk's preliminary findings on the form and wording of the draft petition within 10 days of receiving the request.

E. Proponents (Sponsors)

- Incorporate the Official Title and Summary prepared by the City Attorney into the petition and make corrections to the form and wording (if corrections are identified by the City Clerk). Submit two copies of the updated draft petition to the City Clerk within 10 days of the notification.

If the City Clerk finds that the requirements of the City Charter and Election Code are not met, a letter will be sent to the proponents outlining the corrections that need to be made before the petition can be approved for circulation. If the proponents determine to proceed, they shall file with the City

Clerk (within 10 days of receiving the letter) two draft copies of the corrected petition. The 10-day correction notification period and the 10-day filing period for corrected petitions shall be repeated until the City Clerk finds that no alterations are required and the petition is approved for circulation.

F. Signatures Required

The number of signatures required for initiative petitions is 15% of the total votes cast for all candidates for Office of Mayor at which a Mayor was elected prior to the filing of the petition [Charter Section 451(b)].

G. Petition Preparation, Circulation, and Filing

The sponsors must file all sections of a petition at one time. The sponsors may authorize, in writing, a representative to file the petition on their behalf. A petition may consist of several sections, however, no more than 100 signature spaces may appear on any one section. Only one person shall circulate each petition section [Election Code Secs. 335.1 (a) and (d) and California Elections Code Sec. 9210].

H. Language Requirement

The petition shall be printed in both English and a minority language if more than 5% of the citizens of voting age of the City are of that minority language group and if the illiteracy rate of such persons as a group is higher than the national illiteracy rate. See Section VI “Important Points” on page 20.

Significant Petition Time Frames

The following is a general description of the actions to be taken in the petition process and the number of days allowed for completion of each of the actions. Sponsors must submit the completed petition at least 160 days prior to the date of the election at which the sponsors want the initiative ordinance to be considered [Election Code Section 335 (b)].

Days

Allowed

- 120 All signatures must have been secured not more than 120 days prior to the date of filing the petition with the City Clerk. Each signer shall personally affix his/her printed name, signature, residence address, birthdate (optional) and the date the petition was signed.
- 15-45 When the initiative petition is filed, the City Clerk examines and determines from County voter registration records whether the petition is signed by the required number of qualified registered electors from within the City. The City Clerk has two examination options:
- A. Within 15 days after the petition is filed, the Clerk may use a random sampling technique to determine the number of valid signatures. After checking each of the signatures selected from the random sampling, the following actions will be taken:
- If the statistical sampling shows that the number of valid signatures is less than 90 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall certify the petition as insufficient.

Days
Allowed

- If the statistical sampling shows that the number of valid signatures is more than 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall certify the petition as sufficient.
- If the statistical sampling shows that the number of valid signatures is within 90 to 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall within 30 days after completing the random sampling, examine and verify each signature filed. See **Exhibit 1**.

B. The Clerk may forego the random sampling and examine all of the signatures submitted within 30 days after the petition is filed.

When the City Clerk has completed the examination of a petition, the Clerk shall prepare a dated certificate showing the result of the examination, and shall notify the petition sponsors of the sufficiency or insufficiency [Charter Sec. 451(c)]. The City Clerk shall also notify the City Council without delay, if the petition is found to be sufficient.

- 10 Should a petition be found insufficient, it may be supplemented by filing within 10 days a supplemental petition in the same form as the original petition, bearing additional signatures secured within that 10-day period. ***No such supplement may be filed later than 120 days after the date of the earliest signature counted in the original petition.***
- 10 Within 10 days after the filing of a supplemental petition, the City Clerk shall examine and certify its results as provided above.
- 30 If a petition, or a petition as supplemented, is determined to be insufficient, then the sponsors may within 30 days after the certification file with the City Clerk a statement of contest of the certification on the grounds that the petition contains a sufficient number of valid signatures of registered voters for a certificate of sufficiency to be issued.
- 15 Within 15 days after the filing of a statement of contest, the City Clerk shall examine the statement and the affidavits attached or referred to therein, and after such examination, shall certify the sufficiency or insufficiency of the petition. If the Clerk determines that the petition is sufficient, the Clerk shall prepare a new certification and shall present the new certificate to the Council at its next regular meeting.
- 30 Any judicial action challenging the City Clerk's determination on a statement of contest shall be filed no later than 30 days following the date of certification of the statement of contest. In any such action, no signatures shall be considered which were not on the statement of contest.

City Council options if an Ordinance Initiative Petition is certified "sufficient"

Within 20 days after the initiative petition is presented to the City Council, the Council must take one of the following actions [Charter Section 452]:

- A. Adopt the proposed ordinance, without alteration.
- B. Call a Special Election to be held not earlier than 110 days nor more than 140 days after the Council action on the petition to submit the proposed ordinance, without alteration, to a vote of the electors of the City.
- C. Determine to submit the proposed ordinance, without alteration, to a vote of the electors of the City at the earlier of the following two elections that occurs more than 110 days from the date of Council action on the petition:
 - the next regular City election; or
 - a special election consolidated with the next election conducted by the County of Los Angeles occurring wholly or partially within the same area, provided that the voters eligible to vote in the County-conducted election comprise 100% of all the voters eligible to vote on the measure.

When an initiative petition requesting the submission of a proposed ordinance amending or repealing an ordinance previously adopted by a vote of the electors is presented to the Council by the City Clerk, the Council must submit the proposed ordinance to a vote of the electors of the City at the next election for any purpose at which all of the qualified voters of the City are entitled to vote, that shall be held at any time after 90 days from the date of the certification of the petition to the Council by the City Clerk [Charter Section 453].

III. REFERENDUM PETITION PROCESS

A referendum petition provides citizens with a way to repeal City Council adopted ordinances. It must be initiated and filed with the City Clerk within 30 days after publication of the ordinance. A referendum petition is not permitted for any ordinance that takes effect upon passage or publication [Charter Sections 460 and 461].

A. Proponents (Sponsors)

Petition

- List the names and addresses of five proponents, all of whom shall be registered voters of the City of Los Angeles.
- Include the full text of the proposed ordinance.
- Follow the form and wording for petitions as illustrated in Exhibits 2, 3 & 6.
- Submit two draft copies of the petition to the City Clerk.

B. City Clerk

- Check the form and wording of the draft petition meets applicable requirements.
- Notify the proponents of the City Clerk's finding on the form and wording of the petition within 10 days of receiving the request.

If the City Clerk finds that the requirements of the City Charter and Election Code are not met, a letter will be sent to the proponents outlining the corrections that need to be made before the petition can be approved for circulation. If the proponents determine to proceed, they shall file with the City Clerk (within 10 days of receiving the letter) two draft copies of the corrected petition. The 10-day correction notification period and the 10-day filing period for corrected petitions shall be repeated until the City Clerk finds that no alterations are required and the petition is approved for circulation.

C. Signatures Required

The number of signatures required for referendum petitions is 10% of the total votes cast for all candidates for office of Mayor in an election at which a Mayor was elected prior to the filing of the petition [Charter Section 461(a)].

D. Petition Preparation, Circulation, and Filing

The sponsors must file all sections of a petition at one time. The sponsors may authorize, in writing, a representative to file the petition on their behalf. A petition may consist of several sections, however, no more than 100 signature spaces may appear on any one section. Only one person shall circulate each petition section [Election Code Secs. 335.1 (a) and (d) and California Elections Code Sec. 9210].

E. Language Requirement

The petition shall be printed in both English and a minority language if more than 5% of the citizens of voting age of the City are of that minority language group and if the illiteracy rate of such persons as a group is higher than the national illiteracy rate. See Section VI "Important Points" on page 20.

Significant Petition Time Frames

The following is a general description of the actions to be taken in the petition process and the number of days allowed for completion of each of the actions.

Days

Allowed

30 All signatures must have been secured and the petition filed within 30 days after the publication of the ordinance (except ordinances that take effect upon publication). Each signer shall personally affix his or her signature, printed name, residence address and date signed [Election Code Sec. 335.1(c)].

15-45 When the referendum petition is filed, the City Clerk examines and ascertains from County voter registration records whether the requisite number of qualified registered electors from within the City have signed the petition. The City Clerk has two examination options:

Note: Section 335 (d) of the Election Code provides an option of random sampling for verification of signatures. See **Exhibit 1**.

A. Within 15 days after the petition is filed, the Clerk may use a random sampling technique to determine the number of valid signatures. After checking each of the signatures selected from the random sampling, the following actions will be taken:

- If the statistical sampling shows that the number of valid signatures is less than 90 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall certify the petition as insufficient.
- If the statistical sampling shows that the number of valid signatures is more than 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall certify the petition as sufficient.
- If the statistical sampling shows that the number of valid signatures is within 90 to 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall within 30 days after completing the random sampling, examine and verify each signature filed. See **Exhibit 1**.

B. The Clerk may forego the random sampling and examine all of the signatures submitted within 30 days after the petition is filed.

When the City Clerk has completed the examination of a petition, the Clerk shall prepare a dated certificate showing the result of the examination, and shall notify the petition sponsors of the sufficiency or insufficiency [Charter Sec. 451(c)]. The City Clerk shall also notify the City Council without delay, if the petition is found to be sufficient.

Should a petition be found to be insufficient, it may be supplemented by filing, within

Days
Allowed

the 30-day period after the publication of the ordinance, order or resolution, a

supplemental petition in the form of a duplicate of the original petition, bearing additional signatures secured after the date of the original petition was certified insufficient by the City Clerk.

- 10 Within 10 days after the filing of a supplemental petition, the City Clerk shall examine and certify its results as provided above.

- 30 If a petition, or a petition as supplemented, is determined to be insufficient, then the sponsors may within 30 days after the certification file with the City Clerk a statement of contest of the certification on the grounds that the petition contains a sufficient number of valid signatures of registered voters for a certificate of sufficiency to be issued.

- 15 Within 15 days after the filing of a statement of contest, the City Clerk shall examine the statement and the affidavits attached or referred to therein, and after such examination, shall certify the sufficiency or insufficiency of the petition. If the Clerk determines that the petition is sufficient, the Clerk shall prepare a new certification and shall present the new certificate to the Council at its next regular meeting.

- 30 Any judicial action challenging the City Clerk's determination on a statement of contest shall be filed no later than 30 days following the date of certification of the statement of contest. In any such action, no signatures shall be considered which were not on the statement of contest.

City Council options if a Referendum Petition is certified "sufficient"

When a referendum petition is presented to the City Council, the Council must take one of the following actions within 20 days of the presentation [Charter Sec. 462]:

- A. Repeal the ordinance.

- B. Call a Special Election to be held not earlier than 110 days nor more than 140 days after action by the Council on the petition to submit the ordinance to a referendary vote.

- C. Determine to submit the ordinance to a vote of the qualified electors of the City for approval or rejection at the next regular City election to be held more than 110 days from the date of certification of such petition.

IV. RECALL PETITION PROCESS

Any incumbent of an elected office, whether elected by vote of the people or appointed to fill a vacancy, may be removed from office by the registered voters of the City of Los Angeles, or the registered voters of the School District in the case of removal of a member of the Board of Education. The removal of the incumbent shall be known as the recall [Charter Sec. 430].

City Charter Section 431 (b) prohibits the implementation of recall procedures if any of the following conditions exist.

- The official has not held office for at least three months;
- The term of office expires within six months; or
- Within six months after a previous recall election for the same officer.

A. Proponents (Sponsors)

Notice of Intention

- Serve or send a copy (via registered mail) of the Notice of Intention and Statement of Reasons upon the officer sought to be recalled and file a copy with the City Clerk. The copies shall have an affidavit attached with one or more of the sponsors of the petition stating that all of the facts in the Notice and Statement are true and shall designate the manner of service of the Notice and Statement [Charter Sec. 431(b) and Election Code 337(d)].

and;

- Publish a Notice of Intention and a Statement of Reasons for the recall, not to exceed 300 words in length, in a newspaper of general circulation in the City of Los Angeles at least once [Charter Sec. 431(b), Election Code 337 (c) and (d)]. [For Board of Education Member see Charter Section 430. For City Appointed Officers see Charter Section 438.]

B. Officer Sought to be Recalled (or designee)

Answer to the Statement

- Serves or sends a copy of an Answer to the Statement within 14 days after the service of the Notice and Statement upon the proponents and the City Clerk.
- Publishes an Answer to the Statement, not exceed 300 words in length, in a newspaper of general circulation within the City [Charter Sec. 431(c) and Election Code Sec. 337(e)].

C. Proponents (Sponsors)

- Submit two draft copies of the petition to the City Clerk.
- Follow the form and wording for petition as illustrated in Exhibits 2, 3, & 6.

D. City Clerk

- Check the form and wording of the draft petition meets the requirements of the City Charter and Election Code.

E. Proponents (Sponsors)

- Circulate among the qualified voters of the City, Council District or School District for the securing of signatures [Charter Sec. 431(d), Election Code 337(f)] 21 days after the service of the Notice and Statement.
- Secure all signatures and file petition with the City Clerk’s Office within 120 days from the first day that the petition was eligible for circulation.

Note: Circulators of petitions shall be residents of the City of Los Angeles. If the petition relates to the Board of Education petition circulators shall be residents of the Los Angeles Unified School District. However, any persons circulating recall petitions shall be residents of the district in which such petitions are being circulated. Unless circulators are residents of the relevant jurisdiction, petitions circulated by them shall not be valid, and signatures thereto shall not be counted [Election Code Sec. 339].

F. Signatures Required

The number of signatures required for recall petitions is 15% of the registered voters in the City of Los Angeles to recall the Mayor, City Attorney or Controller; to recall a member of Council or a member of the Board of Education, 15% of the registered voters of the applicable District is required; to recall an appointed officer, 20% of the total votes cast for candidates for the Office of Mayor at the last election, at which a Mayor was elected is required [Charter Secs. 431(a) and 438].

G. Petition Preparation, Circulation, and Filing

The sponsors must file all sections of a petition at one time. The sponsors may authorize, in writing, a representative to file the petition on their behalf. A petition may consist of several sections, however, no more than 100 signature spaces may appear on any one section. Only one person shall circulate each petition section [Election Code Secs. 335.1 (a) and (d) and California Elections Code Sec. 9210].

H. Language Requirement

The petition and published notices shall be printed in both English and a minority language if more than 5% of the citizens of voting age of the City are of that minority language group and if the illiteracy rate of such persons as a group is higher than the national illiteracy rate. See Section VI “Important Points” on page 20.

Significant Petition Time Frames

The following is a general description of the actions to be taken in the petition process and the days allowed for completion of each of the actions.

Days

Allowed

120 All signatures must have been secured not more than 120 days prior to the date of filing the petition with the City Clerk. Each signer shall personally affix to the petition his or

Days
Allowed

her printed name, signature, residence address, birthdate (optional) and the date the petition was signed [Charter Sec. 431(d) and Election Code Sec. 335.1(c)].

30 Within 30 days from the filing date of a recall petition, the City Clerk shall examine and ascertain from County voter registration records whether the petition is signed by the requisite number of qualified registered electors from within the City or applicable District [Election Code Sec. 335(c)].

A. Within 15 days after the petition is filed, the Clerk may use a random sampling technique to determine the number of valid signatures. After checking each of the signatures selected from the random sampling, the following actions will be taken:

- If the statistical sampling shows that the number of valid signatures is less than 90 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall certify the petition as insufficient.
- If the statistical sampling shows that the number of valid signatures is more than 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall certify the petition as sufficient.
- If the statistical sampling shows that the number of valid signatures is within 90 to 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall within 30 days after completing the random sampling, examine and verify each signature filed. See **Exhibit 1**.

B. The Clerk may forego the random sampling and examine all of the signatures submitted within 30 days after the petition is filed.

When the City Clerk has completed the examination of a petition, the Clerk shall prepare a dated certificate showing the result of the examination, and shall notify the petition sponsors of the sufficiency or insufficiency [Charter Sec. 451(c)]. The City Clerk shall also notify the City Council without delay, if the petition is found to be sufficient.

10 Should a petition be found to be insufficient, it may be supplemented by filing within 10 days a supplemental petition in the same form as the original petition bearing additional signatures secured within that 10-day period. ***No supplement may be filed later than 120 days after the date of the first day to circulate the petition [Election Code Sec. 337(f)].***

Within 10 days after the filing of a supplemental petition, the City Clerk shall examine and certify its results as provided above [Election Code Sec. 335 (e)].

The sufficiency or insufficiency of any recall petition shall not be subject to review by the Council [Charter Sec. 431(e)].

City Council Action if Recall Petition is "Sufficient"

When a recall petition is presented to the Council by the City Clerk, the Council shall within 20 days, by order of Ordinance, call for the holding of a special election, and if necessary a special runoff election, for the purpose of submitting to the voters of the City at large, of the Council District, or of the Board District, as the case may be, the question of whether the officer shall be recalled, and if recalled, for the election of his or her successor. The special election shall be held not less than 60 days nor more than 110 days after the date of Council action on the petition; provided, however, that if any other election for any purpose at which all of the qualified voters of the City, of the Council District, or of the Board District, as the case may be, are entitled to vote, is to occur during that time period, the Council shall order the holding of the recall election and the consolidation thereof with such other election [Charter Sec. 432].

V. CHARTER AMENDMENT PETITION PROCESS

The City of Los Angeles, as a Charter City, generally has its election and petition processes detailed in its Charter and Election Code. However, procedures to amend the City's Charter are specified by State law. Sponsors should research the California Elections Code and other applicable State laws for further details [California Government Code Secs. 34450-34462].

A. Proponents (Sponsors)

Notice of Intention

- File Notice of Intention, with the written text of the amendment, with the City Clerk. [Legal References: [California Elections Code Secs. 9202-9205, 9256-9269, Election Code Secs. 335.1 and 335.2].
- May also submit a written statement, not to exceed 500 words, explaining the reasons for initiating the proposed amendment. At least one, but not more than three sponsors must sign the Notice.
- Submit two draft copies of the petition to the City Clerk. The City Clerk shall ascertain if the proposed form and wording of the petition conform to the requirements of the California Elections Code, the Charter and the Election Code of the City of Los Angeles.
- Submit written requesting the preparation of an Official Title and Summary.

B. City Clerk

- Send written request from proponents to the City Attorney to prepare an Official Title and Summary.
- Check that the form and wording of the draft petition meets applicable requirements.

C. City Attorney

- Prepare Official Title and Summary for the petition within 15 days of request.

D. City Clerk

- Send the Official Title and Summary prepared by the City Attorney to the proponents to incorporate into the petition.

E. Proponents (Sponsors)

- Publish a “Notice of Intent to Circulate a Charter Amendment Initiative Petition” with the Official Title and Summary prepared by the City Attorney, signed by at least one, but no more than three sponsors at least once in a newspaper of general circulation. [California Elections Code 9202].
- Submit the statement as published within 10 days of the publication and an affidavit certifying the publication. [California Government Code Sec. 6000].

F. Signatures Required

The number of signatures required for charter amendment petitions is 15% of the registered voters in the City of Los Angeles according to the County Clerk/Registrar-Recorder's last official report of registration to the Secretary of State [California Elections Code Sec. 9255(a)(3)].

G. Petition Form, Wording

The sponsors must file all sections of a petition at one time. The sponsors may authorize, in writing, a representative to file the petition on their behalf. A petition may consist of several sections, however, no more than 100 signature spaces may appear on any one section. Only one person shall circulate each petition section [Election Code Secs. 335.1 (a) and (d) and California Elections Code Sec. 9210].

[Legal References: California Elections Code Sections 101,104, 9020-9022, 9207 and 9257-9265]

The petition form shall be substantially as shown in Section 9260 of the California Elections Code. Form requirements include:

- The petition proposing a Charter Amendment shall set forth the full text of the proposed amendment in no less than 10-point type, and each circulated section must contain a correct and complete copy of the proposed amendment text.
- The paper used for each petition section shall be No. 1 white sulfite or better paper, not less than 16-pound substance, and not smaller than 8-1/2 by 11 inches in size.
- Each petition section must include the circulator's affidavit as specified in Sections 104 and 9022 of the California Elections Code.
- Each signer of the petition shall sign as prescribed in Section 9020 of the California Elections Code and must be a registered voter of the City.
- All petition section sheets shall be fastened together securely and remain so during circulation and filing.
- Prior to that portion of the petition for voters signatures, the following statement shall be printed in 12-point type:

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

H. Petition Preparation, Circulation, and Filing

[Legal References: California Elections Code Secs. 9113-15, 9255, 9265-9267 and California Government Code Sec. 6000 and 34450-34462]

- Petitions must be filed within 180 days from the receipt of the Title and Summary. The sponsors, or anyone authorized in writing by the sponsors, must file all sections of a petition at one time. Within 30 working days of the filing date, the City Clerk must determine from the registration records whether or not the petition is signed by the requisite number of qualified voters (the City Clerk may use a random sampling option for verification of signatures - see **Exhibit 4**).

I. Language Requirement

The petition and published notices shall be printed in both English and a minority language if more than 5% of the citizens of voting age of the City are of that minority language group and if the illiteracy rate of such persons as a group is higher than the national illiteracy rate. See Section VI “Important Points” on page 20.

City Council option if the Charter Amendment Petition is certified “sufficient.”

Upon completion of the verification process, the City Clerk will attach a certificate to the petition showing the results of the examination. The City Clerk shall then notify the sponsors as to the sufficiency or insufficiency of the petition. An insufficient petition may not be supplemented. If the petition is determined to be sufficient, it is presented to the City Council. The City Council shall submit the proposed Charter Amendment to the qualified voters of the City at any of the following elections, provided there are at least 88 days before the election:

- A. A special election called for that purpose; or
- B. Any established municipal election; or
- C. Any established State election pursuant to Section 1000 of the California Elections Code.

Random Sampling Technique Charter Amendment Petition

[Legal References: California Elections Code Sec. 9114, 9115, 9255 and 9266]

California Elections Code Section 9115 provides for a random sampling technique to check petitions as follows:

The City Clerk may use a random sampling technique for verification of signatures. The random sample of signatures to be verified shall be drawn in such a manner that every signature filed with the clerk shall be given an equal opportunity to be included in the sample. Such a random sampling shall include an examination of at least 500 or 3 percent of the signatures, whichever is greater. If the statistical sampling shows that the number of valid signatures is within 95 to 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the clerk shall examine and verify each signature filed. [See also Election Code 335(d)] - see **Exhibit 4**.

Significant Petition Time Frames

The following is a general description of the actions to be taken in the petition process and the number of days allowed before an election for completion of each of the actions.

Days Allowed

180 Petitions shall be filed within 180 days from the date of receipt of the Title and

Days
Allowed

Summary [California Elections Code Sec. 9265].

30 Within 30 days from the filing date of a recall petition, the City Clerk shall examine and ascertain from County voter registration records whether the petition is signed by the requisite number of qualified registered electors from within the City or applicable District [Election Code Sec. 335(c)].

A. Within 15 days after the petition is filed, the Clerk may use a random sampling technique to determine the number of valid signatures. After checking each of the signatures selected from the random sampling, the following actions will be taken:

- If the statistical sampling shows that the number of valid signatures is less than 90 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall certify the petition as insufficient.
- If the statistical sampling shows that the number of valid signatures is more than 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall certify the petition as sufficient.
- If the statistical sampling shows that the number of valid signatures is within 90 to 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall within 30 days after completing the random sampling, examine and verify each signature filed. See **Exhibit 1**.

B. The Clerk may forego the random sampling and examine all of the signatures submitted within 30 days after the petition is filed.

When the City Clerk has completed the examination of a petition, the Clerk shall prepare a dated certificate showing the result of the examination, and shall notify the petition sponsors of the sufficiency or insufficiency [Charter Sec. 451(c)]. The City Clerk shall also notify the City Council without delay, if the petition is found to be sufficient. If the petition is found insufficient, no action shall be taken on the petition. However, the failure to secure sufficient signatures shall not preclude the filing later of an entirely new petition to the same effect [California Elections Code Secs. 9114 and 9115].

Ballot arguments, if any must be filed with the City Clerk at least 85 days prior to the election [Election Code Sec. 346.2].

VI. IMPORTANT POINTS

City Charter Section 451(f) states: No amendments, changes, alteration or corrections of any kind, clerical or otherwise, shall be permitted to be made in any petition after it has been filed with and approved by the City Clerk.

Petition Sections Must be Filed at the Same Time

The sponsors must file all sections of a petition at one time. The sponsors may authorize, in writing, a representative to file the petition on their behalf. A petition may consist of several sections, however, no more than 100 signature spaces may appear on any one section. Only one person shall circulate each petition section [Election Code Secs. 335.1 (a) and (d) and California Elections Code Sec. 9210].

Language Requirement for Initiative, Referendum and Recall Petitions

Election Code Section 334 provides that:

- A. In connection with proceedings for the recall of the Mayor, City Attorney or Controller, the notice and statement required by the Charter and the answer permitted by the Charter shall be published, and the recall petition shall be printed in both English and a minority language if more than 5% of the citizens of voting age of the City are of that minority language group and if the illiteracy rate of such persons as a group is higher than the national illiteracy rate.
- B. The requirements in (a) above shall also apply to proceedings for the recall of a member of the Council or a member of the Board of Education if more than 5% of the citizens of voting age of that member's district are members of a minority language group and if the illiteracy rate of such persons as a group is higher than the national illiteracy rate.
- C. The requirements in (a) above shall also apply to initiative and referendum petitions filed pursuant to the provisions of the Charter.
- D. For the purpose of this section, the terms "minority language" and "minority language group" mean persons who are American Indian, Asian-American or of Spanish heritage. For the purpose of this section, "Illiteracy" means the failure to complete the fifth primary grade.
- E. The City Clerk shall not accept any recall, initiative, or referendum petition for filing unless the proponents have complied with all of the requirements of this section.

Political Reform Act of 1974

The Political Reform Act of 1974, as amended, is a State of California law that requires all candidates and committees supporting or opposing such candidates and committees supporting or opposing ballot measures in an election to disclose their contributions and expenditures.

Who May Sign a Petition?

Any registered voter of the City of Los Angeles or the District, as applicable, for which the petition is being circulated may sign a petition.

Each petition signer shall personally affix the following:

1. Printed name,
2. Signature,
3. Residence address (no P.O. boxes or mailing addresses),
4. City and zip code,
5. Date of birth (optional), and
6. The date the petition was signed.

Suggestions for Circulators

Persons circulating petitions must be residents of the City or District, as applicable, in which the petition is being circulated. Each petition section shall be circulated by only one person [Election Code Sec. 335.1 (d)]. The petitions circulated by non-residents of the City or District shall not be valid and signatures collected shall not be counted.

When circulating petitions, use, if possible, the Index of Voters, which can be purchased at the Registrar-Recorder's Office. The Index will insure that petitioners are registered voters, residents of the City of Los Angeles, appropriate City Council District, or appropriate Unified School District.

After circulating the petition section, sign and date the circulator's affidavit. (If the petition is for the recall of an incumbent City Council member or School Board Member, the circulator must be a resident of that District). Do not sign or date the circulator affidavit prior to obtaining all signatures.

Suggested Number of Signatures to Obtain

The Election Division suggests that petitions be submitted with a substantially greater number of signatures than required.

VII. EXHIBITS

EXHIBIT 1

Random Sampling Example - *Ordinance Initiative, Referendum and Recall Petitions*

"...within 15 days after the filing of the petition, the City Clerk may use a random sampling technique for verification of signatures. The random sample of signatures to be verified shall be drawn in such a manner that every signature filed with the Clerk shall be given an equal opportunity to be included in the sample. The random sampling shall include an examination of at least five percent of the signatures. If the statistical sampling shows that the number of valid signatures is less than 90 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall certify the petition as insufficient. If the statistical sampling shows that the number of valid signatures is more than 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall certify the petition as sufficient. If the statistical sampling shows that the number of valid signatures is within 90 to 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Clerk shall within 30 days after completing the random sampling, examine and verify each signature filed...." [City Election Code Sec. 335 (d)].

ASSUMPTIONS: (A) 73,963 valid signatures are required.*
(B) 130,368 total signatures submitted to City Clerk.

Step #1 - Compute percentage of necessary valid signatures to signatures submitted:

$$\frac{73,963}{130,368} = 56.7\%$$

Step #2 - Draw at least a 5% random sample of signatures submitted:

$$5\% \times 130,368 = 6,519$$

Step #3 - Apply valid signature percentage (Step #1) to random sample (Step #2):

$$56.7\% \times 6,519 = 3,697$$

Step #4 - Compute 90 to 110% range of random sample valid signature amount (Step #3):

$$\begin{aligned} .9 \times 3,697 &= 3,328 \\ 1.1 \times 3,697 &= 4,067 \end{aligned}$$

* 15% of the total number of votes cast for all candidates for the Office of Mayor at the last General Municipal Election or Primary Nominating Election at which the Mayor was elected

prior to the filing of such petition. The 73,963 valid signatures required here are 15% of the total votes cast for all candidates for the Office of Mayor at the May 17, 2005 General Election.

CONCLUSIONS:

- A. If more than 4,067 signatures in the random sample are valid, then the City Clerk will certify the petition "sufficient."
- B. If less than 3,328 signatures in the random sample are valid, then the City Clerk will certify the petition "insufficient."
- C. If valid signatures in the random sample fall between 3,328 and 4,067 inclusive, then all signatures submitted must be checked until either 73,963 are found valid (in which case the petition will be certified sufficient), or until the total of 130,368 are checked and less than 73,963 valid signatures are found (in which case the petition will be certified insufficient).

EXHIBIT 2

Ordinance Initiative, Referendum, and Recall Petitions Form and Wording Requirements (For Charter Amendment Petitions see California Elections Code 9260-9263.)

- A. Paper requirements: Paper Quality: No. 1 white sulfite or better paper, not less than 16 pound substance, and size of 8½ x 11 inches [Election Code Section 335.1(a)].
- B. The first page of each petition section must contain the following:
1. The heading in 20-point upper and lower case type [Election Code Section 335.1(b)(1)].
 2. Names and addresses of the proponents or sponsors of the petition in 10-point upper and lower case type [Election Code Section 335.1(b)(2)].
- C. In the event of an initiative petition proposing a City ordinance, the official title in 24-point type and summary in 12-point type prepared by the City Attorney pursuant to Section 335.2 (c) of the Election Code shall be placed at the top of the first page of each section of petition on which signatures are to appear, preceded by the following statement in 12-point type:
- “As required by the City Charter, the City Attorney has prepared the following title and summary of the primary provisions of this initiative ordinance measure to be adopted by the City Council or submitted directly to the voters.”*
- On petitions other than initiative petitions proposing a City Ordinance, there shall be a short title not exceeding twenty (20) words that state the nature of the petition and the subject to which it relates in 12-point uppercase and lowercase type. [Election Code Section 335.1(b)(3)]
- D. Text of the proposed ordinance. [Election Code Section 335.1(b)(4)]
- E. Circulator’s affidavit (**Exhibit 3**), on the bottom of the last sheet of each petition section, in 10-point upper and lower case type. [Election Code Section 335.1(e)]

EXHIBIT 3

CIRCULATOR'S AFFIDAVIT - *Ordinance Initiative, Referendum and Recall Petitions*

I, _____, do hereby certify that I am a resident of the [City of Los Angeles][Los Angeles Unified School District]; that my present, precise residential address is No. _____ Street, in the [City of Los Angeles][Los Angeles Unified School District], County of Los Angeles, State of California; that I was at least 18 years of age at the time I circulated this petition for signatures; that each signature on the attached sheets is genuine and was affixed thereto, on the date shown, in my presence by a separate individual who to me declared himself or herself at the time of signing to be a qualified, registered voter of the [City of Los Angeles][Los Angeles Unified School District] and actually residing at the address as above set forth; and that all of the sheets constituting this petition were fastened together at the time such signatures were appended thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this _____ day of _____, 20____ at _____, California.

(Signature of Circulator)

(Residence Address)

(City) (Zip Code)

EXHIBIT 4

Random Sampling Example - *Charter Amendment Petitions*

- ASSUMPTIONS:**
- A. 207,453 valid signatures required (15% of 1,383,017 registered voters in the City of Los Angeles as of May 22, 2006)*
 - B. 295,023 total signatures submitted to City Clerk.

Step #1 - Determine the percentage of the signatures submitted which must be valid in order for the petition to be certified as sufficient:

$$\frac{207,453}{295,023} = 70.32\%$$

Step #2 - Draw at least a 3% random sample of signatures submitted:

$$3\% \times 295,023 = 8,851$$

Step #3 - Apply valid signature percentage (Step #1 to random sample Step #2).

$$70.32\% \times 8,851 = 6,224$$

Step #4 - Compute 95 to 110% range of random sample valid signature amount (Step #3):

$$\begin{aligned} .95 \times 6,224 &= 5,913 \\ 1.1 \times 6,224 &= 6,846 \end{aligned}$$

* California Elections Code Section 9255 provides that the necessary signatures to amend or repeal a City Charter provision are 15% of the total registered voters within that City according to the County Clerk's last official registration report to the Secretary of State prior to the filing of the petition.

CONCLUSIONS:

- A. If more than 5,913 signatures in the random sample are valid, then the City Clerk will certify the petition "sufficient."
- B. If less than 6,846 signatures in the random sample are valid, then the City Clerk will certify the petition "insufficient."
- C. If valid signatures in the random sample fall between 5,913 and 6,846 inclusive, then all signatures submitted must be checked until either 207,453 are found valid (in which case the petition will be certified sufficient), or until the total of 295,023 are checked and less than 207,453 valid signatures are found (in which case the petition will be certified insufficient).

EXHIBIT 5

Ordinance Initiative Petition Sample

- A. The **heading** in 20 point upper and lower case type.
- B. **Names and addresses** of the committee of proponents of the petition in 10 point upper and lower case type.
- C. The following statement in 12 point type:
“As required by the City Charter, the City Attorney has prepared the following title and summary of the primary provisions of this initiative ordinance measure to be adopted by the City Council or submitted directly to the voters:”

City Attorney Title and Summary of Ordinance in 12 point type.

- A. **Text of the proposed measure** in 12 point upper and lower case type.
- E. **Signature lines**, as follows:

SIG#	LN#	NAME OF PETITIONER	ADDRESS	DATE	OFFICE USE ONLY
	1	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	2	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	3	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	4	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	5	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	6	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	7	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	8	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	

*Optional: birthdate needed to locate correct voter registration file. Only month and day are required.

- F. Each petition section must have the following **Affidavit of Circulator** attached to the bottom of the last sheet in 10 point type:

I, _____, do hereby certify that I am a resident of the [City of Los Angeles] [Los Angeles Unified School District]; that my present, precise residential address is No. _____ Street, in the [City of Los Angeles] [Los Angeles Unified School District], County of Los Angeles, State of California; that each signature on the attached sheets is genuine and was affixed thereto, on the date shown, in my presence by a separate individual who to me declared himself or herself at the time of signing to be a qualified, registered voter of the [City of Los Angeles] [Los Angeles Unified School District] and actually residing at the address as above set forth; and that all of the sheets constituting this petition were fastened together at the time such signatures were appended thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this _____ day of _____, 20____ at _____, California.

(Signature of Circulator)

(Residence Address)

(City) (Zip Code)

EXHIBIT 6

Referendum & Recall Petition Sample

- A. The **heading** in 20 point upper and lower case type.
- B. **Names and addresses** of the committee of proponents of the petition in 10 point upper and lower case type.
- C. **Short Title** (not to exceed 20 words stating the nature of petition in 12 point upper and lower case type).
- D. Referendum Petitions add the **Text of Measure** in 12 point upper and lowercase type.
- E. Recall Petitions add the following:
 - Published **Notice of Intent to Recall**;
 - Accompanying **Statement of the Grounds for Removal**;
 - **Incumbent’s answer** (if any) and state if not;
 - **Affidavit of proponent(s)** of the petition that the facts in the statement are true.

F. **Signature lines**, as follows:

SIG#	LN#	NAME OF PETITIONER	ADDRESS	DATE	OFFICE USE ONLY
	1	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	2	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	3	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	4	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	5	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	6	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	7	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	
	8	Print Name	Residence Address (No P.O. Box)	Birthdate *	
		Signature	City Zip	Today's Date	

*Optional: birthdate needed to locate correct voter registration file. Only month and day are required.

G. Affidavit of Circulator in 10 point upper and lower case type.

I, _____, do hereby certify that I am a resident of the [City of Los Angeles] [Los Angeles Unified School District]; that my present, precise residential address is No. _____ Street, in the [City of Los Angeles] [Los Angeles Unified School District], County of Los Angeles, State of California; that each signature on the attached sheets is genuine and was affixed thereto, on the date shown, in my presence by a separate individual who to me declared himself or herself at the time of signing to be a qualified, registered voter of the [City of Los Angeles] [Los Angeles Unified School District] and actually residing at the address as above set forth; and that all of the sheets constituting this petition were fastened together at the time such signatures were appended thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this _____ day of _____, 20____ at _____, California.

(Signature of Circulator)

(Residence Address)

(City) (Zip Code)

H. In the case of a Recall petition relating to the recall of an officer elected from a district, the affidavit shall also state that the circulator is a resident of that district, specifying the district.