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CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

GAIL L. PELLERIN, PRESIDENT

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* non-voting member

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DEBORAH SEILER
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April 12, 2011

State Assembly Member Bonnie Lowenthal
State Capitol
Room 3152
Sacramento, CA 94249-0054

Dear Assembly Member Lowenthal:

The California Association of Clerks and Election Officials (CACEO) Elections Legislative Committee has reviewed **AB 362 (as amended March 14, 2011)**, and has adopted a position of **Support, if amended** to apply the amendments to section 8600 of the California Elections Code to all offices for which there are specific qualifications.

Elections officials understand the desire to ensure that write-in candidates for judicial office possess the qualifications to hold the office; however, Section 13.5 of the California Elections Codes lists five additional county offices that require a candidate seeking that office to prove their qualifications. This could be accomplished by inserting a statement (as illustrated below) that directs the candidate to submit information proving their qualifications.

8600. Every person who desires to be a write-in candidate and have his or her name as written on the ballot of an election counted for a particular office shall file:

(a) A statement of write-in candidacy that contains the following information:

- (1) Candidate's name.
- (2) Residence address.
- (3) A declaration stating that he or she is a write-in candidate.
- (4) The title of the office for which he or she is running.
- (5) The party nomination which he or she seeks, if running in a partisan primary election.
- (6) The date of the election.
- (7) ~~For the office of superior court judge, a statement that the person satisfies the eligibility~~

~~requirements of Section 15 of Article VI of the California Constitution. A statement pursuant to Section 13.5 of the California Elections Code that is sufficient enough to establish that the write-in candidate meets the statutory and constitutional qualifications required to hold such office.~~

(b) The requisite number of signatures on the nomination papers, if any, required pursuant to Sections 8062, 10220, and 10510 or, in the case of a special district not subject to the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10), the number of signatures required by the principal act of the district.

If you or your staff have any questions or concerns, please do not hesitate to contact me at the Monterey County Elections Department, at (831) 796-1499.

Very truly yours,

Linda Tulett
Correspondence Secretary
California Association of Clerks and Election Officials

- c: Assembly Member Paul Fong, Chair, Assembly Committee on Elections and Redistricting
Senator Lou Correa, Chair, Senate Committee on Elections, Reapportionment and Constitutional Amendments
Deborah Seiler, Co-Chair, CACEO Elections Legislative Committee
Jill Lavine, Co-Chair, CACEO Elections Legislative Committee
Barry Brokaw, Sacramento Advocates