

# ***Quick Guide to Ballot Initiatives***

## **Elections Code 9200-9226**

The initiative is the power of the people to propose statutes or amendments to the Charter of the City of Oakland and/or the Oakland Municipal Code. An initiative may be placed on the ballot after the proponents successfully meet a series of requirements mandated by the California Elections Code.

### **General Initiative Process:**

Proponents must file a Notice of Intent along with a \$200.00 filing fee. The Notice of Intent must include the written text of the initiative and a request that a title and summary be prepared by the City Attorney. The Notice of Intent must be signed by at least one of the proponents.

The City Attorney has fifteen days from the date of the filing of the Notice of Intent to prepare the Title and Summary.

Upon receipt of the Title and Summary from the City Attorney, proponents must publish the Notice of Intent and the Title and Summary prior to circulating the petition.

Proponents have 180 days from the date they received the Title and Summary to file the petition with the Office of the City Clerk. The filing must be done during normal business hours as posted.

After the petition has been filed the law allows 30 business days for the raw count and signature verification process.

### **Signature requirement for a Regular Election and Proposed Ordinances:**

10% of the registered voters of the city according to the last report of registration by the county elections official to the Secretary of State, effective at the time the Notice of Intent was published.

### **Signature requirement for a Special Election and Charter Amendments:**

15% of the registered voters of the city according to the last report of registration by the county elections official to the Secretary of State, effective at the time the Notice of Intent was published.<sup>1</sup>

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<sup>1</sup> Please refer to the Elections Code § 9214 for specific guidelines on calling a Special Election.

## Timeline Snapshot for Initiative Petitions

It is suggested that petitions be submitted a minimum of **134** days before the election to provide for processing require by State law. All requisite processing of the initiative petitions must occur no later than the **88<sup>th</sup>** day before the election to appear on the ballot. This includes verification of signatures, Council action, additional publication, etc.

<b>Step 1</b>	<b>Proponents Meet With The Office Of The City Clerk</b> <b>Discuss Initiative Process, Identify An Election Date, Discuss Timeline And Deadlines For Filings</b>
<b>Step 2</b>	<b>Develop The Written Text Of The Proposed Initiative</b> Proponents Are Encouraged To Meet With The City Attorney To Discuss The Proposed Measure
<b>Step 3</b>	<b>File Notice Of Intent To Circulate Initiative With The Clerk's Office</b> Schedule And Appointment With The Clerk's Office To File <b>Notice Of Intent</b> To Circulate A Petition And Pay \$200.00 Fee. Proponents Will Also Receive Report Of Registered Voters And Minimum Number/Percentage Of Registered Voters Needed To Qualify For A Ballot, And Deadline To File Petitions With The City Clerk
<b>Step 4</b>	<b>City Attorney Drafts Language Of The Proposed Ordinance (15 Days)</b> The City Attorney Will Draft The Full Text Of The Proposed Ordinance As Well As The <b>Title And Summary</b> To Be Used For Circulating The Petitions And To Go On The Ballot. The Law Allows 15 Days For This Process
<b>Step 5</b>	<b>Proponents Publish Notice Of Intent &amp; Title and Summary and files with City Clerk (5-10 Days)</b> Proponents Must Publish Both The <b>Notice Of Intent</b> To Circulate A Petition And <b>Title And Summary</b> Prior To Gathering Signatures. Proponents Must Also File Proof Of Publication With The City Clerk During Regular Business Hours Within 10 Days Of Publication Date
<b>Step 6</b>	<b>Circulation Of Petitions – Gathering Of Signatures (180 Days)</b> Proponents Have 180 Days To Gather The Necessary Signatures To Qualify The Measure's Placement On Ballot
<b>Step 7</b>	<b>Submission Of Petitions To The City Clerk – Prima Facie Count</b> Proponents Must File Signatures With The City Clerk No Later Than <b>180 Days</b> from the date petitioner is in receipt of <b>Title and Summary</b>
<b>Step 8</b>	<b>County Verification (30 days)</b> The County Of Alameda Verifies Each Signature
<b>Step 9</b>	<b>City Council Certification (14 Days)</b> Clerk Schedules Certification Through The Rules Committee
<b>Step 10</b>	<b>Coordination Of Other Required Elections Activities</b> Call Of Election Legal And Financial Analyses Post Notice Of The Election & Deadlines For Arguments And Rebuttals Receipt And Selection Of Arguments Receipt of Rebuttals
<b>Step 11</b>	<b>Submission of Required Elections Documents to Alameda County Registrar of Voters (88 Days)</b>

***\*Please note that this fact sheet is intended to be advisory only. The Elections Division strongly recommends that proponents consult with an attorney on the initiative process including technical requirements for the format of initiative petitions. The Division's receipt of an initiative petition is not an indication that the petition meets all legal requirements.***