



Guide to Submitting Ballot Arguments

March 5, 2024, Presidential Primary Election

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I. Introduction

This guide has been prepared by the San Francisco Department of Elections (the Department) to summarize the procedures and requirements for submitting arguments in favor of or against a ballot measure that the Department publishes in the San Francisco Voter Information Pamphlet. This guide pertains to ballot measures specific to the City and County of San Francisco. State, school, or special district measure arguments may be subject to separate requirements as outlined in the California Elections Code (CAEC). If there is a conflict between this guide and an applicable law, regulation, or rule, the law, regulation, or rule shall always apply.

The Department recommends that anyone submitting a ballot argument:

- **Begin the process as early as possible.** This will ensure that you do not miss important deadlines or neglect to submit paperwork. Our staff will provide you with the necessary forms and documents, conduct intake of necessary documents and fees, and assist you with questions related to the process.
- **Schedule an appointment with our staff**, using our online appointment form: sfelections.org/tools/csappt or contact us by phone. The Department will prepare documents ahead of time, answer any questions you may have, and expedite your visit.
Note: you may schedule an appointment prior to the filing deadlines detailed in the following pages. If you choose to wait until the filing deadlines, please be aware that the Department will not schedule appointments on those dates.
- **Carefully proofread** the argument and count the words. Argument text will be printed in the Voter Information Pamphlet exactly as submitted. The Department will make the official determination on word count for submitted arguments. You may ask the Department to conduct a word count prior to submissions.

This guide will reference the various state and local laws that regulate nomination processes. The table below lists the citations to these laws and regulations referenced in this guide.

Code References: <i>the following abbreviations are used throughout this guide for citations of supporting legal codes</i>	
CA Const.	California Constitution
CAEC	California Elections Code
CA Gov. Code	California Government Code
CA Admin. Code	California Administrative Code
SFC	San Francisco Charter
SFC&GCC	S.F. Campaign and Governmental Conduct Code
SFMEC	San Francisco Municipal Elections Code
SOS	Secretary of State
FPPC	Fair Political Practices Commission

II. Important Dates

Date	Description	Code Provision(s)
12 / 14 / 2023 Noon E-82	Submission of Official Proponent and Opponent Ballot Arguments for Local Ballot Measures and District Measures Deadline to submit official proponent and opponent ballot arguments for local ballot measures and district measures to the Department of Elections. Prior to submitting an argument, the author must sign and submit Ballot Argument Control Sheets. (300 words)	CAEC §§9162-9164, 9281-9283, 9286, 9315-9317, 9501-9509; SFMEC §535(b)
12 / 14 / 2023 2:00 p.m. E-82	Selection of Official Proponent and Opponent Arguments If the Department of Elections receives more than one proposed official proponent or opponent argument for a measure, the Department will select one official proponent and one opponent argument according to priority levels and, if necessary, by lottery.	CAEC §§9166, 9503; SFMEC §545
12 / 15 / 2023 Noon E-81	Deadline to Correct Grammatical, Spelling, and Factual Errors in Official Proponent and Opponent Ballot Arguments for Local Measures Only Deadline for the authors of official proponent and opponent ballot arguments to correct any, grammatical, spelling, and factual errors in the arguments for or against local measures. The Director of Elections' determination shall be final.	SFMEC §535(f)
12 / 15 / 2023 Noon – 12 / 26 / 2023 Noon E-81 - E-71	Public Examination Period: Official Proponent and Opponent Arguments for Local Ballot Measures and District Measures Period of public review and possible legal challenge of official proponent and opponent arguments for publication in the Voter Information Pamphlet.	CAEC §§9380, 9509; SFMEC §590(b)(4)
12 / 18 / 2023 Noon E-78	Submission of Rebuttal Arguments for Local Ballot Measures and District Measures Deadline to submit rebuttal arguments for local ballot measures and district ballot measures to the Department of Elections. (250 words)	CAEC §§9504, 9167, 9285; SFMEC §535(c), 550
12 / 18 / 2023 Noon E-78	Submission of Paid Ballot Arguments for Local Ballot Measures Deadline to submit paid ballot arguments for or against local measures to the Department of Elections. Paid ballot argument fee and original hard copy must be submitted together. (300 words)	SFMEC §535(d), 555
12 / 19 / 2023 Noon E-77	Deadline To Correct Grammatical, Spelling, And Factual Errors In Rebuttal Or Paid Arguments For Local Measures Only Deadline for the authors of rebuttals or paid ballot arguments to correct any grammatical, spelling, and factual errors in their arguments for or against local measures. The Director of Elections' determination shall be final.	SFMEC §535(f)
12 / 19 / 2023 Noon – 12 / 29 / 2023 Noon E-77 - E-67	Public Examination Period: Rebuttal Arguments (Local and District Measures) and Paid Arguments (Local Measures Only) Period of public review and filing legal challenges of rebuttals and paid ballot arguments submitted for publication in the Voter Information Pamphlet.	CAEC §§9380, 9509; SFMEC §590(b)(5)-590(b)(6)

III. Official Proponent and Opponent Arguments: Eligible Authors and Author Information

SFMEC §530

The Department of Elections must have a signature from each ballot argument author whose name will appear below the text of the argument.

Any of the following may author or co-author ballot arguments in favor of or against any local measure:

- The Board of Supervisors, or any member of the Board of Supervisors authorized by that body
- The Mayor
- Any proponent of an initiative measure or a referendum (the person or people who published the notice of intention to circulate the initiative or referendum petition)
- Any voter who is eligible to vote on the measure, group of such voters, association or organization, or any combination thereof

A. Organizations

SFMEC §§530(d), 535(a), 535(b)(2), 575

If an argument is submitted on behalf of an organization, the argument must be signed by a principal officer of the organization who is a registered San Francisco voter. The officer must complete the Author Information portion of the Ballot Argument Control Sheet, and clearly indicate in this section and in the argument text whether the officer's name should be printed as an author in the Voter Information Pamphlet along with the name of the organization.

B. Author Names, Titles, and Other Identifying Information

SFMEC §530(d)

Authors may include identifying information to be printed along with their names under the ballot argument text. For example, an author may list their title, occupation, or affiliation with an organization. The names, titles, and other identifying information about authors are counted toward the word limit.

C. Consent Forms

SFMEC §530(e)

If a ballot argument states that an individual or organization (entity) other than an author supports or opposes the ballot measure, or agrees with or endorses the argument, a completed Consent Form is required. The Consent Form must be signed by the referenced individual or an authorized representative of the referenced organization. Note: A copy of a newspaper article may not be substituted for a signed Consent Form.

D. Provide Statement Regarding Non-Support

SFMEC §535(b)(2)

Each Author of a ballot argument submitted for selection as the proponent's argument shall attest under penalty of perjury on a form provided by the Director of Elections that the Author is not a Non-supporter of the measure to which the ballot argument pertains. Each Author of a ballot argument submitted for selection as the opponent's argument shall attest under penalty of perjury on a form provided by the Director of Elections that the Author is not a Supporter of the measure to which the ballot argument pertains.

E. Assignment of Official Proponent, Opponent, or Rebuttal Arguments

SFMEC §§530(b), 550(c), (d)

Persons who are entitled to submit the proponent or opponent argument for a particular measure may assign the right to submit the argument to another person or persons, provided that the assignee is eligible to submit an argument. The authors of a direct proponent or opponent argument may assign to another person or persons the right to submit a rebuttal argument, provided that the assignee is eligible to submit an argument.

IV. Word Limit and Word Count Rules

CAEC §9(a); SFMEC §§550, 575

Official Proponent Arguments and Opponent Arguments may not exceed 300 words, Rebuttal Arguments are limited to 250 words. Paid Ballot Arguments may not exceed 300 words. The Department uses the following guidelines for counting words. The decision of the Director of Elections concerning word count is final. Argument authors are encouraged to consult the Department regarding word count prior to submission.

Examples	Number of Words
Title of document, signature	n/a
Punctuation	n/a
Abbreviations or acronyms (SFSU, PTA, SFPD, U.S.M.C.)	1
Proper nouns, including geographical names (San Francisco, San Franciscans, Haight Ashbury)	1
Dates, whether numbers or a combination of words and numbers (3/5/2024 or March 5, 2024)	1
Numbers consisting of one or more digits (1,000,000), percentages (12%), fractions (½)	1
Numbers that are spelled out (one hundred)	Varies; count each word
Characters used in place of a word or number (&, #)	1
Phone numbers or internet addresses	1
True Source of Funds	n/a

VI. Paid Arguments

SFMEC §§555, 560

Paid arguments appear in the Voter Information Pamphlet in the order in which the Department receives them. The Department's word count determines the cost of each paid argument. Submitters may arrange a word count prior to formal submission. This will help eliminate any discrepancies in the word count and assist with the calculation of fees. The Department strongly recommends submitting ballot arguments before the legal deadline.

A. Payment of Fee and Disclosure of True Source of Funds

SFMEC §830

Anyone submitting a paid ballot argument must pay a publication fee of \$200 plus \$2 per word. The fee must be paid when the argument is submitted, and may be paid by cash, check, money order, credit card, or debit card.

Anyone submitting a paid ballot argument must disclose the true source of funds used for payment of the publication fee. This information will be printed below the paid argument, after the names of the authors, as follows:

The true source(s) of funds for the printing fee of this argument: (insert name).

If the source of the funds used for payment of the fee is a "recipient committee" under the Political Reform Act (CA Gov. Code §82013), the submitter of the ballot argument must disclose the names of the three contributors whose cumulative contributions are the largest contributions received by the committee during the six months immediately preceding submission of the argument.

For more information, contact the San Francisco Ethics Commission at [\(415\) 252-3100](tel:4152523100) or visit sfethics.org

1. General Recipient Committee

CA Gov. Code §82013

A "Committee" is any person or combination of persons who directly or indirectly does any of the following:

- a. Receives contributions totaling \$2,000 or more in a calendar year
- b. Makes independent expenditures totaling \$1,000 or more in a calendar year; or
- c. Makes contributions totaling \$10,000 or more in a calendar year to, or at the behest of, candidates or committees

A person or combination of persons that becomes a committee shall retain its status as a committee until such time as that status is terminated pursuant to CA Gov. Code §84214.

The information for the top three contributors will appear below the paid argument. The true source of funds is not included in the word count.

The Department prints the names of the true source of funds and the recipient committee contributors as they are printed on control sheets. Please ensure that all information is legible and correct. If necessary, the Department may abridge the names of organizations due to space constraints.

B. Submission of Petition Signatures-in-Lieu-of Ballot Argument Fee

SFMEC §565, 570, 840

Anyone submitting a ballot argument may submit a petition with signatures of registered San Francisco voters in lieu of the publication fee. Each valid signature reduces the publication fee by \$0.50

Each fee petition must include the complete text of the proposed argument and must be submitted in the format prescribed by the Department of Elections. Any registered San Francisco voter may circulate or sign a fee petition, and voters may sign fee petitions for more than one argument related to the same measure. All fee petitions must be submitted when the argument is filed.

VII. How to Prepare and Submit a Ballot Argument

A. Consider your Argument and what information and forms you will need

1. Who will be listed as author?
Control Sheet A, with the author's original signature
2. Will there be more than one author? If so, you must submit:
 - **Control Sheet A**, with the first author's original signature, and
 - **Control Sheet B**, with the remaining authors' original signatures
3. Will an author want to include a title or other identifying information to appear with the argument? *Refer to Section III(B)*
4. Will an organization be listed as an author? *Refer to Section III(A)*
5. Will the argument mention anyone other than the authors? If so, you must submit:
Consent Form with original signature of the person named in the argument. *Refer to Section III(C)*
6. What will the argument say?
7. Will the argument and any author information to be printed meet the word limit?
Refer to Section IV
8. If it is a paid argument, who is paying for the publication of the argument (true source of funds)?
9. Is the true source of funds a recipient committee? If so, who were the three largest contributors in the past six months?

B. Prepare the Argument forms

All ballot argument forms are available on the Department website: sfelections.sfgov.org/ballot-arguments
These forms may also be obtained in person at the Department office.

The Department strongly recommends printing control sheets double sided on legal-sized paper (8.5" x 14"). This will allow more space for required information and will allow Department personnel to count the argument's words accurately and print the argument as intended in the Voter Information Pamphlet.

The full text of the argument must appear on all Control Sheets and Consent Forms to provide anyone listed as an author, or mentioned in an argument, the opportunity for review. Any later changes should be noted on Control Sheet A, which will be considered the official submission document for publication.

To ensure accurate transcription, ballot arguments should be neatly typed and affixed to your forms. If handwritten, information or revisions will be interpreted by Department to the best of their abilities. This interpretation is final.

1. **Control Sheet A** must be submitted for every ballot argument, with required signatures and information related to the type of argument, the first author, the submitter, and, for paid arguments, the source of payment.
2. **Control Sheet B:** If your argument has more than one author, you must also submit Control Sheet B, with required signatures and information related to the additional authors.
3. **Argument Information – Section 1**
Indicate which type of argument you are submitting and for what measure (by letter).
4. **Author Information – Section 2**
Author Information is printed in italics below the argument in the Voter Information Pamphlet. For each author, provide a name, San Francisco residential address, and an original signature (see below for organizations). Indicate whether the author is an organization or an individual, and how the author’s information should be printed below the argument.
5. **Arguments submitted on behalf of an organization** must be signed by a principal officer of the organization, who must be a registered San Francisco voter. The officer must clearly indicate in this section, and in the argument text, whether the names of both the officer and the organization or only the organization should be listed as author in the Voter Information Pamphlet.
6. **Authors may include identifying information**, such as titles, occupations, or affiliation with an organization, to be printed with their names. Clearly indicate the title or other identifying information in this section and in the argument text.
7. **If an author includes a title** or other information only for identification, and not to indicate the support of their organization, mark this box in this section:

Check if the title or identifying information is for identification purposes only, if you are signing as an individual and not on behalf of an organization.

If this box is checked, the author’s identifying information will be marked with an asterisk and the following disclaimer will be printed in the Voter Information Pamphlet:

** For identification purposes only.
Author is signing as an individual and not on behalf of an organization.*

Author names, titles, and other identifying information are counted toward the word limit. “For identification purposes only” disclaimers are not counted.

If the author information provided in this section differs from the author information in the argument text, the Voter Information Pamphlet will reflect the information in the argument text. However, an asterisk and a “for identification only” disclaimer will be added for any

author who checked the related box in this section, even if this information is not specified in the argument text.

8. Submitter Information (Control Sheet A, Section 3)

The submitter is the person who delivers the argument and supporting materials to the Department. This may be the author or someone else designated by the author. The submitter must complete this section. If there is a question or issue with a submission, the Department will contact the submitter for clarification.

9. Argument Text (Control Sheet A, Section 5; Control Sheet B; Section 3)

The text of your argument will be printed exactly as submitted in this section. Argument text on all required forms should match that on Control Sheet A.

10. Text Formatting

You may request that specific argument text be printed in **bold**, *italic*, or **bold italic** type. Other special formatting, such as underlining or use of graphics, columns, or other unusual spacing, is not permitted.

You may request text formatting on Control Sheet A as follows:

- a. Type your argument text with the desired formatting (**bold**, *italics*, or **bold italics**). Any bolding should be dark enough to show in photocopies.
- b. Underline the text to be formatted. In the left column, mark “B” for **bold**, “I” for *italics*, or “BI” for **bold italics**. To indicate more than one format within a line of text, list the format codes in order, separated by commas.

11. Information for Paid Arguments (Control Sheet A, Section 4)

The Voter Information Pamphlet must include information about the source of funds for publication of paid arguments. This information is printed below the argument and the author information. In this section, indicate the true source of funds for the publication of your argument. Mark “Yes” or “No” to indicate whether the true source of funds is a recipient committee. If so, list the three largest monetary contributors in the last six months ([see Section VI](#)). The submitter must sign this statement under penalty of perjury.

The Department prints the names of the true source of funds and the recipient committee contributors as they are submitted in this section; all information must be correct and legible. If necessary, the Department may print shortened names of organizations due to space constraints.

12. Submitting Multiple Paid Arguments – *save time and effort*

- a. Fill out *one Control Sheet A* with all *unchanging information* for your arguments — usually Sections 1 (Argument Information), Section 3 (Submitter Information), and Section 4 (Information for Paid Arguments) and leave the other sections blank. Save or print the form. This file or printed document is your template for all of your arguments.
- b. Using your template, create **Control Sheet A** for each argument. Add the *unique information* for each argument – usually Section 2 (Author Information) and Section 5 (Argument Text) to your template. Print and save Control Sheet A for each argument.
- c. For each argument, fill out **Control Sheet B** and **Consent Forms** as needed. Because most information on these forms is unique for each argument and electronic copies of these forms are not needed, there is no need to create templates for Control Sheet B or Consent Forms. However, for clarity, copy and paste the text from Control Sheet A to Control Sheet B.

- d. For each argument, collect all required signatures on Control Sheet A, and, if needed, on Control Sheet B or a Consent Form.
- e. Submit completed Control Sheets and Consent Forms to the Department of Elections, and send electronic copies of the argument text to publications@sfgov.org within 24 hours.

13. Consent Form

Required only if someone who is not an author is referenced in the argument. (See Section III, C) If your ballot argument states that an individual or organization (entity) other than an author supports or opposes the ballot measure, or agrees with or endorses the argument, you must submit a Consent Form signed by the referenced individual or an authorized representative of the referenced organization.

[Note: you may NOT substitute a copy of a newspaper article for a signed Consent Form.](#)

C. Submit the Ballot Argument to the Department of Elections

All forms, signatures, and supporting documents are due by noon on the legal deadline for the type of argument. The Department strongly encourages you to submit your arguments before the deadline and to make an appointment prior to the final submission using our online appointment form, sfelections.org/csappt. The Department does not schedule appointments on the days for submission deadlines.

D. Send an Electronic Copy of Argument Text

To facilitate typesetting, and reduce the possibility of transcription errors, send an electronic copy of your ballot argument text within 24 hours after submission to publications@sfgov.org

If you do not send an electronic copy within 24 hours, Department staff will need to type your argument to meet Voter Information Pamphlet production timelines.

1. Please do not send a scanned image – Microsoft Word, PDF, or plain text is preferred.
2. Use a descriptive subject line and file names, such as “No on B – 12 to 15.”
3. If there is any discrepancy between the electronic copy and the official argument submission on Control Sheet A, the Department will print the hard copy version that you officially submitted on **Control Sheet A**. Allowable corrections must be submitted in person.
4. Sending an electronic copy of argument text is in addition to the official, in-person submission of the signed argument on Control Sheet A, with any other required documentation; the Department will not print arguments that are emailed or faxed only.

VIII. After Submission of Your Ballot Argument

A. Modification or Withdrawal of Ballot Arguments / Correction of Grammatical, Spelling, and Factual Errors

The author of a ballot argument may change or withdraw the argument, or withdraw their name or signature authorization, up until the submission deadline for that argument.

After the submission deadline, authors may correct only grammatical, spelling, and factual errors, up until the correction deadline for that argument. The Department of Elections determines what constitutes a grammatical, spelling, or factual errors. This determination shall be final.

To change, withdraw, or correct an argument, the author must submit a signed statement clearly indicating the change, withdrawal, or correction. For some changes or corrections, the Department may require the submitter to amend or complete a new Control Sheet.

1. Notice of Defective Submission

If there are any issues with an argument submission, such as missing information or fee underpayment, the Department will notify the submitter. The Department will allow submitters 24 hours from notification to rectify any issues. Depending on the issue, the Department may strike names from arguments if author signatures or consent forms are missing. An argument may also be ruled defective if there are underpaid fees or the submitter fails to reduce a word count to meet the legal limit.

2. Public Review and Challenges to Ballot Arguments

The 10-day public examination period for ballot arguments begins at noon on the business day following the submission deadline. Copies of all ballot argument materials to be printed in the Voter Information Pamphlet will be available for public examination at the Department's office in City Hall, Room 48, Monday through Friday, 8 a.m. to 5 p.m.

Challenges to a ballot argument must be submitted in writing to the Department of Elections prior to the close of the public examination period.

3. Publication and Mailing of the Voter Information Pamphlet

The Voter Information Pamphlet is mailed to all registered voters no later than 29 days before the election. It will also be available online at sfelections.org