



P.O. Box 2309  
San Rafael, CA 94912  
Tel 415-747-4870

### **Petition Circulator Instructions**

1. Prior to soliciting signatures on an initiative petition, a circulator shall execute and submit a signed statement of acknowledgement of the prohibition on the use of signatures on an initiative petition for a purpose other than qualification of the proposed measure for the ballot.
2. Any California resident eligible to register to vote may collect signatures and sign the petitions as a circulator.
3. Each petition form may include signatures from only one county. It is not necessary for the circulator to be a resident of the same county in which the petition signers reside.
4. Only registered voters may sign a petition.
5. Circulators must personally witness all signatures.
6. All information must be filled out in the signers and circulators own handwriting.
7. Fill in and sign the Declaration of Circulator on the petition.
8. Return petitions to: Sustainable Healthy Earth Act, P.O. Box 2309, San Rafael, California 94912

### **Petition Signatures**

Only persons who are registered, qualified voters at the time of signing are entitled to sign the petition. A person can only sign a petition that is being circulated in his or her county of registration. If a petition circulator is a registered voter, he or she may sign the petition he or she is circulating. (Elections Code §§ 106, 9020, 9021.) 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. (Elections Code § 100.) None of the above may be preprinted on the petition. Each signer may sign an initiative petition only once. (Elections Code § 18612.)

### **Withdrawal of Signatures**

Any voter who has signed an initiative petition may withdraw his or her name by filing a written request for the withdrawal with the appropriate county elections official prior to the date the petition is filed by the proponent(s). (Elections Code §§ 103, 9602.)

## **Withdrawal of Initiative Measure**

The proponent(s) of an initiative may withdraw their measure at any time before the initiative qualifies for the ballot on the 131<sup>st</sup> day before the statewide general election. (Elections Code §§ 9033, 9604.)

## **Criminal Penalties**

The Elections Code imposes certain criminal penalties for abuses related to the circulation of initiative petitions. It prohibits circulators from intentionally misrepresenting or intentionally making any false statement concerning the contents, purport, or effect of the petition, or the petitions Official Top Funders disclosure, to potential petition signers, 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 and from refusing to allow prospective signers to read the proposed initiative measure or petition or Attorney General's summary. (Elections Code §§ 18600 - 18602.) No person may offer or give payment or anything of value to another in exchange for signing an initiative petition. (Elections Code § 18603.) The code also makes circulators, signers, and others criminally liable for signing or soliciting to sign false, forged, fictitious, or ineligible signatures and names. (Elections Code §§ 18610 - 18614). The law provides criminal penalties for persons, including public officials, who make false affidavits concerning an initiative, referendum, or recall petition. Criminal penalties may be issued if one knowingly directs an affiant to make a false affidavit or if one knows or reasonably should have known that an affiant has made a false affidavit. (Elections Code §§18660, 18661.)

Circulating petitions within 100 feet of a polling place, an elections official's office on election day, or at any time that a voter is casting a ballot. (Elections Code § 18370(a).) The law prohibits any person from soliciting or obtaining money or anything of value to aid in unlawfully stopping circulation or the filing of an initiative measure or for withdrawing a proposed initiative measure after filing it with an elections official. (Elections Code §§ 18620 – 18622.) The law also prohibits any person from stealing petitions and from threatening petition circulators or circulators' relatives with the intent to dissuade them from circulating the petition.

(Elections Code §§ 18630, 18631.) Any person who is paid by the proponent(s) to obtain signatures on any initiative petition is subject to severe penalties for failing to surrender the petition to the proponent(s) for filing (Elections Code § 18640.)

It should be noted that the petition or list of signatures may be used for no purpose other than the qualification of the initiative measure. (Elections Code § 18650.) This requirement prohibits using the names and addresses on petition sections for a mailing list for fundraising or other purposes.