



INDEPENDENT LA JOLLA

Ballot Measure Arguments:

Filing Ballot Arguments For or Against City of San Diego Ballot Measures

Source: *San Diego Municipal Code (SDMC) Sections 27.0508-27.0514*

This document guidelines ballot arguments concerning City measures. Such arguments are printed in the sample ballot, following the appropriate measure (and the City Attorney's impartial analysis, if applicable).

The first time ballot arguments appeared in favor of or opposition to a City of San Diego measure was in 1958. Rebuttal arguments are not allowed.

Common questions:

- Who can file an argument?
- When is the argument due?
- Where do I file an argument?
- How long can the argument be?
- Who signs the argument, and how do I submit the signatures?
- Which argument(s) will be printed in the sample ballot?
- What will the argument look like in the sample ballot?
- What if I want to change my argument--or someone else wants to?

Who can file an argument?

Arguments may be filed by the City Council, a member or members of the Council authorized by the Council, individual voters eligible to vote on the measure, bona fide associations of citizens, or any combination of voters and associations.

When is the argument due?

Prior to each pertinent election, the City Clerk establishes a filing deadline for ballot arguments. Typically, it is about 75 days before the election. The deadline is advertised as a Public Notice in the City Council docket, and on the bulletin board outside Council Chambers. Of course, you can also call the Office of the City Clerk and ask.

Arguments submitted to the City Clerk are kept confidential until the time and date of the filing deadline. After the deadline passes, submitted arguments are considered public records.

Where do I file an argument?

Submit your argument to the Office of the City Clerk, 2nd Floor, [City Administration Building](#), 202 "C" Street, Mail Station 2A, San Diego, California, 92101.

It is best to personally deliver the argument, so you are certain not to miss the filing deadline. Request to see an Elections team member when you arrive.

How long can the argument be?

Three hundred (300) words is the limit. Be aware that there are specific word-count guidelines to follow, which are available in the Office of the City Clerk. Our staff is ready and willing to assist you in counting the number of words in your argument so that your submittal does not exceed the limit. Prior to the deadline, bring in or fax your draft argument, and an Elections team member will be happy to count it for you.

NOTE: The word count does NOT include the signature portion of the argument, nor does it include the 'boilerplate' phrase "ARGUMENT IN FAVOR OF PROPOSITION ____" or "ARGUMENT AGAINST PROPOSITION ____" which appears at the top of the sample ballot page for each argument.

Who signs the argument, and how do I submit the signatures?

When you file your argument, it must be accompanied by the name **and** signature [or names and signatures] of the individual [or individuals] submitting it (the "signer(s)"). If your argument is submitted on behalf of an organization or organizations, then it must be accompanied by the name(s) of the organization(s) and signed by at least one of each organization's principal officers.

Arguments must also be accompanied by a statement, containing the original signature of each signer, that the argument is true and correct to the best of his/her knowledge and belief. Forms for such statements ("signature forms") are available in the Office of the City Clerk.

Should your argument be the one which is printed in the sample ballot, no more than five signatures (that is, the names of five "signers") will be printed with it. If more than five individuals signed your argument, only the names of the first five will be printed.

At least one of the individuals signing your argument must be a registered voter of the City of San Diego.

You must submit all your signatures at once, at the time you file your argument with the City Clerk. We will accept faxed signatures, but request that you submit the original as soon as possible thereafter.

NOTE: It is not necessary for you to submit all of your signatures on a single signature form.

NOTE: Be sure to clearly indicate exactly how you want your signers' names (and titles and organizations, if appropriate) to appear in the sample ballot. For example, spell out everything you want spelled out; abbreviate everything you want abbreviated. Also, be sure to clearly indicate how you want the signers' names arranged beneath your argument when it is printed in the sample ballot. For

instance, whose name goes in the upper left position, and whose goes in the lower right? This is especially important when you have submitted more than one signature form.

NOTE: Currently there is no limit on the length of a signer's title, but we ask that you be reasonable!

NOTE: The Registrar of Voters does not allow signers of ballot arguments or members of their immediate family to host a polling place or act as poll workers in the jurisdiction in which the ballot measure is being voted on. In the case of a City ballot measure, the jurisdiction is--obviously--the City.

Which argument(s) will be printed in the sample ballot?

Currently, a maximum of two arguments regarding a given City ballot measure will be printed in the sample ballot: one argument for, and one argument against. If more than one argument is submitted for or against any one measure, the City Clerk selects the argument to be printed in the sample ballot for distribution to the voters, using the following hierarchy of submitters prescribed by the San Diego Municipal Code:

- a. The City Council, or member or members of the Council, including the Mayor, authorized by the Council.
- b. The individual voter or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
- c. Bona fide associations of citizens.
- d. Individual voters who are eligible to vote on the measure.

We encourage you to work with other groups who may also wish to submit an argument regarding the measure you are supporting or opposing.

What will the argument look like in the sample ballot?

Each argument will be clearly identified at the top of the sample ballot page: either "Argument In Favor of Proposition ____" or "Argument Against Proposition ____."

The City Clerk will make every effort to ensure that the argument appearing in the sample ballot looks identical to the argument that was submitted. That is, bolding, underlining, italics and bullets are allowed, and will be included in the sample ballot.

Signers' names appear beneath the text of the argument, in a type of 'block V', depending upon how many signers there are. You choose the order of their arrangement by notifying the Clerk of your wishes when you file the argument. The 'block V' appears something like the following:

JOHN Q. PUBLIC
Chair
Committee of Informed People

MILDRED VOTECASTER
Property Owner

JANE A. CITIZEN
President & CEO
The Really Important Corp.

MORT BALLOTMAN
Professor, UCM (Ret.)

DEE BAYTOR
Member
Arguments R Us

NOTE: The Registrar of Voters, which prints the sample ballot, utilizes a standard 'style' for argument signatures. For the sake of consistency, signers' names appear in all-upper-case (capital) letters, as above. All other information printed with the signers' names appears in upper- and lower-case letters, in standard type.

What if I want to change my argument - or someone else wants to?

Naturally, you have exercised every caution in drafting your argument, have proofread it carefully, and have filed with the City Clerk the version you wish to appear in the sample ballot. However, sometimes mistakes happen.

Arguments may be changed or withdrawn by their proponents at any time prior to the filing deadline fixed by the City Clerk. After the deadline, things get more complicated.

Post-deadline changes of typographical errors may be permitted. Notify the Office of the City Clerk by phone (619-533-4000) immediately about the error, and follow up in writing. If the sample ballot has not yet been delivered to the printer, it may be possible to amend the error.

Anything more than changing a typographical error is likely to require court action. The City Clerk cannot provide administrative relief for making substantive changes to a ballot argument. However, immediately following the filing deadline, there is a required 10-day public review period prior to the arguments being included for printing in the sample ballot. During this time, any voter registered in the City may seek a writ of mandate or an injunction requiring any or all of the argument materials to be amended or deleted.

NOTE: The signature portion of a ballot argument is considered part of the argument, and is subject to the 10-day public review period.