

Petition Circulator Rules

The California Elections Code (EC) contains numerous provisions that regulate the manner in which initiative petitions may be circulated within the State of California. Volunteers for the soliciting of signatures to qualify a proposed measure for the ballot must receive instructions from the proponent on the requirements and prohibitions imposed by State law with respect to circulation of a petition and signature gathering. (EC section 9607)

Circulators of petitions should review the provisions of the Elections Code in detail so that they are familiar with all of the requirements. Various requirements and prohibitions found in the Elections Code are referenced for instructional purposes below. You must familiarize yourself with these limitations prior to circulating the petition:

1. Signatures may not be used for any purpose other than qualification of a particular measure for the ballot. Violation is a misdemeanor. (EC section 18650)
2. Circulators and those who have charge or control of circulation or obtaining signatures on an initiative petition may not misrepresent or intentionally make any false statement concerning the contents, purpose, or effect of any petition, or the status of the circulator as a paid signature gatherer or a volunteer, to any potential signer or person who inquires regarding the petition or status of the circulator. Violation is a misdemeanor crime. (EC section 18600)
3. Any person working for a statewide initiative proponent who refuses to allow a prospective signer to read a measure or petition is guilty of a misdemeanor. (EC section 18601)
4. Any person working for a statewide initiative proponent who covers or obscures the Attorney General's summary from a prospective signer's view is guilty of a misdemeanor. (EC section 18602)
5. Any person who offers or gives money or other valuable consideration to another for his signature on a petition is guilty of a misdemeanor. (EC section 18603)
6. Any person who solicits or causes a circulator to affix a false or forged signature to a petition is guilty of a misdemeanor. (EC section 18603)
7. Any person who circulates or causes a petition to be circulated, knowing it contains false, forged, or fictitious names, is subject to a fine and/or imprisonment. (EC section 18611)
8. Any person, including a circulator, who knowingly signs a petition more than once or with knowledge the person is not qualified to sign, is guilty of a misdemeanor.
9. Any person who subscribes a fictitious name or the name of another, or who causes another to subscribe such a name to a petition, is guilty of a felony. (EC 18613)

10. Any person who files a petition with designated officials that contains signatures which the person knows to be false or fraudulent or not the genuine signature of the person whose name it purports to be is subject to fine and/or imprisonment. (EC section 18614)
11. Any person who seeks, solicits, bargains for, or obtains any thing of value or any advantage from any other person or entity for the purpose of getting the proponents to abandon the measure, to not file the measure, to stop circulating, or to do anything to keep a measure from qualifying, is subject to a fine and/or imprisonment. (EC section 18620)
12. Any person, (except the proponent of a petition) who offers to buy or does buy a petition with signatures on it from a circulator is guilty of a misdemeanor. (EC section 18622)
13. Any person who threatens to commit an assault or batter on a circulator or his or her relative, with the intent of dissuading circulation of a petition, is guilty of a misdemeanor. (EC section 18630)
14. Any person who forcibly or by stealth takes a petition containing signatures from a circulator is guilty of a misdemeanor. (EC section 18631)
15. Any person working for petition proponents who solicits signatures on a petition for payment (a paid signature gatherer), and who fails to surrender the petition to the proponents for filing, is subject to a fine and/or imprisonment. EC section 18640)
16. Any person who makes a false affidavit concerning any petition, or signatures appended thereto, is subject to a fine and/or imprisonment. (EC section 18660)
17. A person who is a voter or who is qualified to register to vote in California may circulate an initiative petition in California. (EC section 102)
18. A person who circulates a petition must, after collecting signatures thereon, complete a declaration under penalty of perjury attesting to various facts and information. (EC section 104) For statewide petitions, the circulator must state in the declaration that the circulator is a voter or qualified to register to vote in the state. (EC section 9022)
19. Any person may request from the Secretary of State a pamphlet describing the procedures and requirements for preparing and circulating a statewide measure. (EC section 9015)