



**NEVADA
COUNTY**
CALIFORNIA

Elections
Registrar of Voters

Writing Arguments, Rebuttals, and Analyses

A Guide Answering Frequently Asked Questions

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This guide was developed in an effort to provide answers to frequently asked questions about arguments, rebuttals, and analyses for local measures. It is for general information only and does not have the force and effect of law, regulation, or rule. In case of conflict, the law, regulation, or rule applies. For information on city measures, please contact your City Clerk.

This guide may not answer all questions. Please consult with a legal advisor for more detailed information.

Persons using this guide bear full responsibility to make their own determinations as to all legal standards and duties.

April 2023

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General Information

What Is a Local Measure?

A local measure is any question put before voters at any election in the county, special district, or school district. Measures can be placed on the ballot by the governing body, by initiative, or by referendum.

Whom Do I Contact Regarding Local Measures?

Contact Nevada County Elections at 950 Maidu Ave., Suite 210, Nevada City, CA 95959, call 530-265-1298, or email elections.mail@nevadacountyca.gov.

What Is a State Proposition?

A state proposition is a proposal to change the State Constitution or laws of the state. A proposition can be placed on the ballot by the State Legislature passing a law and the Governor signs it or by initiative or referendum.

Whom Do I Contact Regarding State Propositions?

For information on state propositions, contact the Secretary of State's Office, Elections Division, 1500 11th Street, 5th Floor, Sacramento, California 95814, call 916-657-2166, or email VIGarguments@sos.ca.gov.

What Is a City Measure?

A city measure is any question put before voters at any election in the city. There are 3 incorporated municipalities in Nevada County: City of Grass Valley, City of Nevada City, and Town of Truckee.

Whom Do I Contact Regarding City Measures?

Arguments, rebuttals, and analyses for city measures are filed with the City Clerk. Specific information regarding requirements and deadlines may be obtained from the city office involved.

Grass Valley	(530) 274-4350	https://www.cityofgrassvalley.com/administration
Nevada City	(530) 265-2496	https://www.nevadacityca.gov/pview.aspx?id=20782&catid=567
Town of Truckee	(530) 582-7700	https://www.townoftruckee.com/government/town-clerk

General Measure Calendar

<p>E-125*</p> <p><i>EC §§ 10509, 10522, 10524, 10551, 15651</i></p>	<p>Special Districts & Cities Deliver Notice of Election to County Clerk</p> <p>Last day for district secretaries and City Clerks to deliver Notice of Election listing the elective offices to be filled and any measure (if known at the time) to be voted on and to deliver a map of the District or City to the Elections Department. Cities and special districts should include in the notice how a tie vote will be resolved.</p>
<p>E-88</p> <p><i>EC §§ 9190, 9380, 10401, 10402, 10403</i></p> <p><i>EC § 9401</i></p> <p><i>EC § 9160</i></p>	<p>Last Day to Submit Resolutions of Consolidation</p> <p>Final deadline for the governing body of a district, city, school, or other political subdivision which requests consolidation of a local election for candidates and/or measures to file the request with the County Elections Office. Earlier filing dates are encouraged in order to meet printing schedule.</p> <p>Whenever resolutions calling for a measure to be placed on the ballot are filed, immediately after that filing date will be a 10-day public inspection period. During this period, any voter of the jurisdiction or the county elections official may seek a writ of mandate or an injunction requiring any or all of the materials to be amended or deleted.</p> <p>Bond measures proposed by a county, city, district, or other political subdivision or by any agency, department, or board, the security of which constitutes a lien on the property within the jurisdiction, shall file a tax rate statement by this date.</p> <p>Deadline for the County Board of Supervisors to request a Fiscal Impact Statement from the County Auditor-Controller.</p>
<p>E-81</p> <p><i>EC §§ 9163, 9316</i></p> <p><i>EC §§ 9160, 9313</i></p> <p><i>EC § 9280</i></p>	<p>Deadline to File Arguments, Analyses for Measures</p> <p>Arguments for or against any local measure are due by 5 p.m.</p> <p>County Council to submit impartial analysis for county and school/special district measures. County Auditor, if previously directed by the Board of Supervisors, to submit fiscal analysis of measures.</p> <p>City Attorney to submit analysis of city measures.</p> <p>Arguments and analyses are public record after the 5 p.m. deadline. (Department policy)</p>
<p>E-80 to E-71</p> <p><i>EC §§ 9190, 9380</i></p>	<p>10-day Public Inspection for Arguments and Analyses</p> <p>10-calendar day public inspection of arguments filed by [E-81]. During the public examination period, any voter of the jurisdiction in which the election is being held, or the county elections official, may seek a writ of mandate or an injunction requiring any or all of the materials to be amended or deleted. The writ of mandate or injunction request shall be filed no later than the end of the public examination period.</p>
<p>E-74</p> <p><i>EC §§ 9167, 9317</i></p>	<p>Deadline for Filing Rebuttals to Measures</p> <p>On this date Rebuttal Arguments will be due by 5 p.m.</p> <p>Rebuttals are public after the 5 p.m. deadline. (Department policy)</p>
<p>E-73 to E-63</p> <p><i>EC §§ 9190, 9380</i></p>	<p>10-day Public Inspection for Rebuttals</p> <p>10-calendar day public inspection of arguments filed by [E-74]. During the public examination period, any voter of the jurisdiction in which the election is being held, or the county elections official, may seek a writ of mandate or an injunction requiring any or all of the materials to be amended or deleted. The writ of mandate or injunction request shall be filed no later than the end of the public examination period.</p>

* "E-" represents days before the election, e.g., 125 days before Election Day. Election Day is E-0.

Deadlines

Contact Nevada County at 530-265-1298 or visit our website at nevadacountyca.gov/elections for specific filing deadlines for a local measure. Call the relevant city or town for deadlines for city or town measures. If the deadlines have not been published yet, please refer to the general calendar above on page 4.

All filings are due by or before 5 p.m. on the deadline date. Arguments, rebuttals, and analyses may be changed or withdrawn until and including the date fixed for final submission to the county clerk.¹ Filed documents remain confidential until after the deadline. Once the deadline has lapsed, documents become available for public inspection.

Once an argument for and against a measure is chosen, a copy will be provided to the Opposing authors for the purpose of writing a rebuttal. Arguments are available to the public after the 5 p.m. deadline.

You may file at Nevada County Elections at 950 Maidu Avenue, Suite 210, Nevada City, CA 95959. For local measures based in Truckee, the Elections Office may allow documents to be submitted at Truckee Town Hall, 10183 Airport Road, Truckee, CA 96161. Please call or email our office to confirm where filing may take place.

To help streamline the process and to ensure your documents are printed exactly as filed, please provide us with an electronic copy of your argument, rebuttal, or analysis and email it to elections.mail@nevadacountyca.gov.

We can accept filings by fax or email. However, original signatures must be provided to the Elections Office within 48 hours of the electronic transmission, or the item(s) will not be considered as filed (weekends and holidays excepted). Electronic transmission must be started prior to 5 p.m. on deadline days to be accepted as filed. The fax number is 530-265-9829. To email, you must scan the document with the signature and email to elections.mail@nevadacountyca.gov.

¹ Elec. Code §§ 9163, 9316, 9601

Arguments For and Against

How Do I Know a Measure Will Appear on The Ballot?

Once the governing board such as the Board of Supervisors, school board or special district board pass a resolution calling for an election, the county elections official will prepare and publish a legal notice indicating the specifics of the measure including deadlines to file arguments for or against the measure. The county elections official may also issue a press release announcing the measures on the ballot and deadlines for filing arguments.

Who Can File Arguments?

- The governing board, i.e., County Board of Supervisors, school board, or special district board. An argument may also be filed by a member or members of the governing body. The member/s do NOT have to be authorized by the governing body; or
- Any individual voter who is eligible to vote on the measure; or
- A bona fide association of citizens; or
- A combination of voters and associations, who are the bona fide sponsors or proponents of the measure.²

If more than one argument for or against any county, district, or school measure is submitted, the county elections official shall select one for printing in the County Voter Information Guide pursuant to the order listed above.³

When a jurisdiction crosses county lines, the lead county (the one with the most voters) will work with other affected counties on establishing the deadlines for arguments. Filers should file their argument for or against the measure with the lead county. If there is more than one argument filed for or against the measure, then the lead county will work with affected jurisdictions to ensure that all arguments published are identical in each county.

Filer vs. Signers

There is a distinction between a "filer" and a "signer or author." The filer of the argument or rebuttal must be either the governing board of the district, a bona fide association of citizens or an individual voter who is eligible to vote on the measure. The "signers or authors" of the argument or rebuttal can be any person or any organization when accompanied by a signature of a principal officer. Filers do not have to be signers.

The **filer** does not have to be a **signer** of the argument. **Anyone can sign** arguments for or against a county, school, or special district measure.

The **filer** of the argument must meet the criteria above.

² Elec. Code §§ 9120, 9162, 9282, 9501

³ Elec. Code §§ 9167, 9503

Exceptions for District or City Measures Put on The Ballot by Initiative

The persons filing a district initiative petition may file an argument in favor of the proposed ordinance. The district board may submit an argument against the ordinance.⁴

The persons filing a city initiative petition may file an argument in favor of the proposed ordinance and the city council may submit an argument against the ordinance.⁵

Ballot Argument Statement

Each argument and rebuttal must be accompanied by the Ballot Argument Statement Form⁶ (see page 13).

We must have original signatures. To meet the deadline, you may fax or email the argument/rebuttal with the signature/s on the same page as the text of the argument/rebuttal. Original signatures must be presented to the elections official within 48 hours of electronic transmission or the item(s) will not be considered as filed (weekends and holidays excepted).

Argument Checklist

Please refer to the following checklist when putting together your argument:

- Does not exceed 300 words. Remember that heading and signatures are not included in the word count.⁷ See page 11 for guidelines on counting words.
- Uses the following headings:
Argument For Measure _____
Argument Against Measure _____
- Does not contain more than 5 signatures.
- Typed and in a block format. See our Format Guidelines on page 12 for more information.
- Email an electronic copy (Word or text file) to elections.mail@nevadacountyca.gov.

⁴ Elec. Code § 9315

⁵ Elec. Code § 9282(a)

⁶ Elec. Code § 9600

⁷ Elec. Code § 9162

Rebuttals

Who Can File Rebuttals to Arguments?

When both an argument in favor and an argument against a measure has been filed and selected for printing in the Voter Information Pamphlet, the County Elections Official will send copies of the arguments to the filers and advise them of the deadline for filing the rebuttal.

Rebuttal Checklist

Please refer to the following checklist when putting together your rebuttal:

- Does not exceed 250 words. Remember that heading and signatures are not included in the word count.⁸ See page 11 for guidelines on counting words.
- Uses the following headings:
 - Reply: Rebuttal To Argument For Measure _____
 - Reply: Rebuttal To Argument Against Measure _____
- Signed by the same people who signed the argument, or the filer can authorize up to 5 new people to sign the rebuttal by completing the Authorization on page 14.
- Does not contain more than 5 signatures.
- Typed and in a block format. See our Format Guidelines on page 12 for more information.
- Email an electronic copy (Word or text file) to elections.mail@nevadacountyca.gov.

⁸ Elec. Code §§ 9167, 9220, 9285, 9317, 9504

Analyses

Impartial Analysis

County Counsel is required to prepare an Impartial Analysis of a county or school measure.⁹ County Counsel for each individual county may prepare an analysis for any measure proposed by a jurisdiction that crosses county lines. However, counties may make an effort, as deemed necessary, to provide the same or similar analysis to minimize voter confusion.

The City Attorney shall prepare an Impartial Analysis of a city measure.¹⁰

For special district measures, the County Counsel or District Attorney of the county with the largest number of registered voters shall prepare an Impartial Analysis.¹¹

The Impartial Analysis must not exceed 500 words.¹²

If the district is a water district, the counsel for the water district, or if there is no counsel for the water district, the County Counsel of the county with the largest number of registered voters shall prepare an Impartial Analysis. If there is a legal counsel for the water district, the analysis shall be subject to review and revision by the County Counsel.¹³

Fiscal Impact Statement

The County Auditor-Controller may be requested by the Board of Supervisors no later than 88 days prior to an election to prepare a fiscal analysis of a county measure.¹⁴ The Fiscal Impact Statement shall not exceed 500 words.¹⁵

Tax Rate Statement

Each bond measure proposed by a county, city, district, or other political subdivision or by any agency, department, or board thereof, the security of which constitutes a lien on the property within the jurisdiction, shall mail a tax rate statement with the County Voter Information Guide.¹⁶ The statement shall be filed with the elections official not later than the 88th day prior to the election. The law does not specify a word limit for such statements.

⁹ Elec. Code §§ 9160, 9500

¹⁰ Elec. Code § 9280

¹¹ Elec. Code § 9313

¹² Elec. Code §§ 9160, 9313, 9314, 9500

¹³ Elec. Code § 9314

¹⁴ Elec. Code § 9160

¹⁵ Elec. Code § 9160

¹⁶ Elec. Code §§ 9400, 9401

Order and Lettering

Order of Appearance in County Voter Information Guide

Arguments, rebuttals, and analyses are printed in the County Voter Information Guide and mailed to all registered voters in the jurisdiction eligible to vote for the particular measure, in the following order:

1. Ballot question
2. What a Yes vote means, What a No vote means
3. Full text of the measure (if requested) or an internet link to the full text
4. Impartial Analysis
5. Fiscal Analysis or Tax Rate Statement (if any)
6. Argument For
7. Rebuttal to Argument For
8. Argument Against
9. Rebuttal to Argument Against

Assigning Letters to Measures

The Elections Office assigns letters to local measures in alphabetical order, starting with the next letter following the previous election. Measures are assigned through Z, or as close to the end of the alphabet as possible to accommodate all measures in the current election without wrapping. For example, if the previous election ended with local measure V and there are five local measures in the current election, then they will be assigned letters A, B, C, D, E. If a district has voters in two or more counties, the counties will mutually agree to use the same measure letter.

Lettering is based on the order in which measures must be presented on the ballot, defined in Section 13109 of the Elections Code.

- School measures
 - County Board of Education
 - College
 - Unified Schools
 - High Schools
 - Elementary Schools
- County measures
- City measures
- District measures

To allow for the most efficient use of space, the County Elections Official may vary the order of the measures. The County Elections Official may designate local measures with any letter following “A” and continuing alphabetically, in order to avoid voter confusion that might result from different local measures carrying the same letter designation in successive elections.¹⁷

¹⁷ Elec. Code § 13116

How to Count Words

Abbreviations	An abbreviation for a word, phrase, or expression is counted as one word.
Dates	Dates consisting of a combination of words and digits shall be counted as two words, e.g., "January 1, 2021." Dates consisting of only a combination of digits shall be counted as one word, e.g., "1/1/21."
Hyphenations	Hyphenated words that appear in any generally available dictionary are considered one word. Each part of all other hyphenated words shall be counted as separate words.
Numbers	Any number consisting of a digit or digits are counted as one word, e.g., "100." Any number that is spelled out, e.g., "one hundred," count as separate words.
Percent Signs (%), Number Signs (#), and other symbols	It is department policy to count numbers consisting of a digit or digits used with a dollar sign (\$), cent sign (¢), percentage sign (%), or number sign (#) as one word.
Phone and Internet	Web addresses and telephone numbers are counted as one word.
Proper Nouns & Geographical names	All proper nouns, including geographical names, are counted as one word. For example, "Nevada County Board of Education" shall be counted as one word.
Punctuation	Punctuation is not included in the word count.
Required Titles	Words used in the title of arguments, rebuttals, and analyses, such as "Argument in Favor of Measure A" are not counted.

These rules do not apply to word counts for ballot designations.¹⁸

¹⁸ Elec. Code § 9

Format Guidelines

Please be sure that your arguments for or against any local measure are proofread and checked before filing. Here are some helpful tips as you write your ballot argument:

- Be accurate. Documents will be printed as submitted. Spelling, punctuation, and grammatical errors will not be corrected by Elections staff.
- An argument, rebuttal, analysis, or tax rate statement must be written to address a single measure on the ballot. A document combining arguments pertaining to more than one measure will not be accepted.
- Arguments, rebuttals, and analyses must be typed and formatted in block paragraph format, i.e., left justified and single spaced except for a double space between paragraphs.
- All arguments and rebuttals must be accompanied by a Ballot Argument Statement.¹⁹
- No more than five signatures will appear with any argument. If more than five are submitted, the first five will be printed.²⁰
- Be sure to let the Elections Office know the order you want signatures to appear.
- Arguments, rebuttals, analyses, and tax rate statement, including the names and titles of the signers, must be typed to ensure quality and accuracy.
- Do not use profanity or other objectionable language.
- Arguments, rebuttals, analyses, and tax rate statements are printed in the County Voter Information Guide.
- Limited use of bolding, CAPITALIZING, underlining, italics, centering text, and bullets (small solid circle only) are permitted.

¹⁹ Elec. Code § 9600

²⁰ Elec. Code §§ 9164, 9501



BALLOT ARGUMENT STATEMENT FORM

Elections Code Section 9600

All arguments concerning measures filed pursuant to California Elections Code Division 9, commencing with Section 9000, shall be accompanied by the following form statement, to be signed by each proponent and by each author, if different, of the argument:

The undersigned proponent(s) or author(s) of the _____ (primary/rebuttal to)

argument _____ ballot proposition _____ (in favor of/against) (name or number)

at the _____ (title of election)

for the _____ (jurisdiction)

to be held on _____ hereby state that such (date of election)

argument is true and correct to the best of _____ knowledge and belief. (his/her/their)

Signed _____ Date _____

Printed name _____ Title _____

Signed _____ Date _____

Printed name _____ Title _____

Signed _____ Date _____

Printed name _____ Title _____

Signed _____ Date _____

Printed name _____ Title _____

Signed _____ Date _____

Printed name _____ Title _____

AUTHOR INFORMATION

Signed _____ Date _____

Printed name _____ Title _____

Mailing Address _____



950 Maidu Avenue, Suite 210
Nevada City, CA 95959

Authorization Form for Rebuttal Arguments

I, _____, as the author of the primary argument in favor of/against
_____, authorize the following person to sign in my place on the rebuttal
to the argument in favor of/against said measure.

Section to be Completed by New Author:

Printed Name: _____

Residential Address: _____

City/Zip: _____

Mailing Address: _____

City/Zip: _____

Section to be Completed by Original Author:

Printed Name: _____

Residential Address: _____

City/Zip: _____

Mailing Address: _____

City/Zip: _____

Original Author Signature

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