



BALLOT DESIGNATIONS FOR CANDIDATES

Ca Elections Code Section 13107

(also see Secretary of State Ballot Designation Regulations, [Ca. Admin. Code Regs. Title 2, Section 20710](#), et seq.)

With the exception of candidates for Justice of the State Supreme Court or Court of Appeal, immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations:

- (1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he/she was elected by vote of the people, or to which he/she was appointed, in the case of a Superior Court Judge. **There is no word limit for the official title of the office.** A candidate may choose to include the name of his/her elective office with another profession, vocation or occupation, but that ballot designation is limited to no more than three words. **§ 13107(a)(1)**

- (2) Proposed ballot designations indicating a position of legislative leadership or leadership in another elected body, such as "Majority Leader of the California Senate", "Speaker of the California State Assembly", and "City of Long Beach Mayor Pro Tem" are not elective offices as described in [Elections Code Section 13107\(a\)\(1\)](#). Such Ballot Designations are improper, pursuant to [Elections Code Section 13107\(a\)\(1\)](#). They may, however, subject to the three-word limit, be considered under the provisions of [Section 13107\(a\)\(3\)](#). Examples of acceptable Ballot Designations under this section include, but are not limited to, "Assembly Minority Leader", "California Assembly Speaker", and "Mayor Pro Tem".

CA Admin Code, Title 2, Division 7, § 20712(d)

- (3) The word "incumbent" if the candidate is a candidate for the same office which he/she holds at the time of filing the Nomination Papers, and was elected to that office by a vote of the people, or, in the case of a Superior Court Judge, was appointed to that office. **The word "incumbent" must be used as a noun and must stand alone.** **§ 13107(a)(2)**

- (4) The phrase "appointed incumbent" may be used if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office. [§ 13107\(a\)\(4\)](#)

If the candidate is a candidate for **election to another office**, but wants to use the title of his/her current appointed office, he may use the word "appointed" and the title of his/her current office. He/she may not use "appointed incumbent" in this case.

In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." **The words "appointed incumbent" must stand alone.**

However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he/she holds and to which he/she was appointed as a nominated candidate, in lieu of an election pursuant to Education Code sections [5326](#) and [5328](#) or Elections Code sections [7228](#), [7423](#), [7673](#), [10229](#), or [10515](#).

- (5) **For the purpose of this section, all California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. The names of special districts, school districts, and political subdivisions are not geographical names.**

[CA Admin Code, Title 2, Division 7, § 20714\(f\)\(3\)](#)

- (6) Punctuation shall be limited to the use of a comma (e.g., District Attorney, Orange County) and a slash (e.g., Legislator/Rancher/Physician). Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

[CA Admin Code, Title 2, Division 7, § 20714\(f\)\(2\)](#)

- (7) **No more than three words** designating the current principal professionals, vocations, or occupations of the candidate may be used as a ballot designation. However, in the event the candidate does not have a current principal profession, vocation, or occupation at the time he/she files his/her nomination documents, the candidate may use a ballot designation consisting of his/her principal professionals, vocations, or

occupations which the candidate was principally engaged in during the calendar year immediately preceding the filing of the candidate's nomination documents.

[CA Admin Code, Title 2, Division 7, § 20714\(d\)](#)

"Principal", as that term is used in [Elections Code Section 13107\(a\)\(3\)](#), means a substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. **The term "principal" precludes any activity which does not entail a significant involvement on the part of the candidate. Involvement which is only nominal, pro forma, or titular in character does not meet the requirements of the statute. The ballot designation must accurately state the candidate's principal professions, vocations, or occupations and must be factually accurate and descriptive, and neither confusing nor misleading.**

[CA Admin Code, Title 2, Division 7, § 20714\(b\)](#)

"Profession" means a field of employment requiring special education or skill and requiring specific knowledge of a particular discipline. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual. Recognized professions generally include, but are not limited to: Law, medicine, education, engineering, accountancy, and journalism. Examples of an acceptable designation of a "profession", as defined in [Elections Code Section 13107\(a\)\(3\)](#) include, but are not limited to: Attorney, physician, accountant, architect, and teacher.

[CA Admin Code, Title 2, Division 7, § 20714\(a\)\(1\)](#)

"Vocation" means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his/her livelihood and spends a major portion of his/her time. As defined, vocations may include, but are not limited to: Religious ministry, child rearing, homemaking, elderly and dependent care, and engaging in trades such as carpentry, cabinetmaking, plumbing, and the like. Examples of an acceptable designation of a "vocation", as defined in [Elections Code Section 13107\(a\)\(3\)](#) include, but are not limited to: Minister, priest, mother, father, parent, homemaker, dependent care provider, carpenter, plumber, electrician, and cabinetmaker. NOTE: Husband and wife are not acceptable designations.

[CA Admin Code, Title 2, Division 7, § 20714\(a\)\(2\)](#)

“Occupation” means the employment in which one regularly engages or follows as the means of making a livelihood. Examples of an acceptable designation of an “occupation” as defined in [Elections Code Section 13107\(a\)\(3\)](#) include, but are not limited to: Rancher, restaurateur, retail salesperson, manual laborer, construction worker, computer manufacturing executive, military pilot, secretary, and police officer.

[CA Admin Code, Title 2, Division 7, § 20714\(a\)\(3\)](#)

If a candidate is licensed by the State of California to engage in a profession, vocation, or occupation, the candidate is entitled to consider it one of his/her “principal” professions, vocations, or occupations if (i) the candidate has maintained his/her license current as of the date he/she filed his/her nomination documents by complying with all applicable requirements of the respective licensure, including the payment of all applicable license fees and (ii) the status of the candidate’s license is active at the time he/she filed his/her nomination documents.

[CA Admin Code, Title 2, Division 7, § 20714\(b\)\(1\)](#)

A candidate who holds a professional, vocational, or occupational license issued by the State of California may not claim such profession, vocation or occupation as one of his/her “principal” professions, vocations, or occupations if (i) the candidate’s licensure status is “inactive” at the time the candidate files his/her nomination documents; or (ii) the candidate’s license has been suspended or revoked by the agency issuing the license at the time the candidate files his/her nomination documents.

[CA Admin Code, Title 2, Division 7, § 20714\(b\)\(1\)](#)

Multiple Principal Professions, Vocation, or Occupations: A candidate may engage in multiple principal professions, vocations or occupations. However, if a candidate proposes a ballot designation including multiple principal professions, vocations or occupations, the proposed ballot designation must comply with the following provisions: (1) The three-word limitation specified in [Elections Code Section 13107\(a\)\(3\)](#); (2) Each such proposed profession, vocation, or occupation shall be separately considered and must independently qualify as a “principal” profession, vocation, or occupations; and (3) When multiple professions, vocations or occupations are proposed as a ballot designation, they shall be separated by a slash (“/”).

- (8) **"Community Volunteer"** means a person who engages in an activity or performs a service for or on behalf of, without profiting monetarily, one or more of the following: (1) A charitable, educational, or religious organization as defined by the [U.S. Internal Revenue Code Section 501\(c\)\(3\)](#); (2) a governmental agency; or (3) an educational institution.

The activity or service must constitute substantial involvement of the candidate's time and effort such that the **activity or service is the sole, primary, main, or leading professional, vocational or occupational endeavor of the candidate. The words "Community Volunteer" must stand alone.**

[§ 13107.5\(a\)\(3\), CA Admin Code, Title 2, Division 7, § 20714.5](#)

Remember: The candidate must use his/her principal profession, vocation, or occupation as his/her ballot designation. "Community Volunteer" will not be allowed if the candidate does not have a principal profession, vocation, or occupation. If the volunteer work is considered an "avocation" (see below under Unacceptable Ballot Designations), then "Community Volunteer" may not be used as the ballot designation.

- (9) The use of the word **"retired"** is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation. These factors will be taken into consideration: (a) Prior to retiring from his/her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than five years; (b) The candidate is collecting, or eligible to collect, retirement benefits, or other type of vested pension; (c) The candidate has reached at least the age of 55 years; (d) The candidate voluntarily left his/her last professional, vocational or occupational position; (e) If the candidate requests a ballot designation that he/she is a retired public official, he/she must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office; (f) The candidate has not had another more recent, principal profession, vocation, or occupation; and (g) The candidate's retirement benefits are providing him/her with a principal source of income.

[CA Admin Code, Title 2, Division 7, § 20716\(h\)\(1\)\(2\)\(3\)\(4\)](#)

(10) For a candidate for judicial office who is an active member of the State Bar employed by a city, county, district, state, or by the United States, the designation shall appear as one of the following: (2)(A) Words designating the actual job title, as defined by statute, charter, or other government instrument. (3) A designation made pursuant to this subparagraph shall also contain relevant qualifiers as follows: If the candidate is an official or employee of a city, the name of the city shall appear preceded by the words "City of". (B) If the candidate is an official or employee of a county, the name of the county shall appear preceded by the words "County of". (C) If the candidate is an official employee of a city and county, the name of the city and county shall appear preceded by the words "City and County". (D) If the candidate performs quasi-judicial functions for a government agency, the full name of the agency shall be included. (c) **A candidate for superior court judge who is an active member of the State Bar and practices law as one of his or her principal professions shall use one of the following ballot designations as his or her ballot designation: "Attorney", "Attorney at Law", "Lawyer", or "Counselor at Law". The designations "Attorney" and "Lawyer" may be used in combination with one other current principal profession, vocation, or occupation of the candidate, or the principal profession, vocation, or occupation of the candidate during the calendar year immediately preceding the filing of the nomination documents.**

§
13107(c)

UNACCEPTABLE BALLOT DESIGNATIONS:

(1) The following types of activities are distinguished from professions, vocations, and occupations and **are not acceptable** as ballot designations pursuant to [Elections Code Section 13107\(a\)\(3\)](#):

(a) **Avocations:** An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and is in addition to the candidate's principal profession, vocation or occupation. Avocations may include, but are not limited to: Hobbies, social activities, volunteer work, and matters pursued as an amateur.

CA Admin Code, Title 2, Division 7, § 20716(b)(1)

Example: (a) If a person is a PTA President (not a paid position), and does not have a principal profession, vocation, or occupation, then that person could use "Community Volunteer" as his/her ballot designation, but could not use "PTA President". "PTA President" is considered a

"status" (see "c: Statuses"); (b) If the person is a PTA President (not a paid position), and also has a principal profession, vocation, or occupation, he/she must use his/her principal profession, vocation, or occupation as his/her ballot designation; (c) If the person is a PTA President (not a paid position) and also has a principal profession, vocation, or occupation, he/she **could not** use both the principal profession, vocation, or occupation and "Community Volunteer" (even if the designation meets the three-word requirement) because "Community Volunteer" must stand alone.

- (b) **Pro Forma Professions, Vocations, and Occupations:** Pro forma professions, vocations or occupations are positions held by the candidate which consume little or none of the candidate's time and which, by their nature, are voluntary or for which the candidate is not compensated. Pro forma professions, vocations and occupations may include, but are not limited to: honorary professor, goodwill ambassador, official host or hostess and the like.

[CA Admin Code, Title 2, Division 7, § 20716\(b\)\(2\)](#)

- (c) **Statuses:** A Status is a state, condition, social position or legal relation of the candidate to another person, persons, or the community as a whole. A status is generic in nature and generally fails to identify with any particular specificity the manner by which the candidate earns his or her livelihood or spends the substantial majority of his or her time. Examples of a status include, but are not limited to: Veteran, proponent, reformer, scholar, founder, philosopher, philanthropist, activist, patriot, taxpayer, concerned citizen, Kiwanis Club President, PTA President, husband, and wife.

[CA Admin Code, Title 2, Division 7, § 20716\(b\)\(3\)](#)

- (2) A ballot designation which abbreviates the word "retired" or places it following any word or words which it modifies. Examples of impermissible designations include, but are not limited to: "Ret. Army General"; "Major USAF, Retired"; and "City Attorney, Retired".

[CA Admin Code, Title 2, Division 7, § 20716\(f\)](#)

- (3) No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name per Elections Code Section 13106. Examples include, but are not limited to: Ph.D., M.A., B.A., B.S., and M.D.

[§ 13106](#)

- (4) A ballot designation may not comprise or include commercial identification information, such as a trademark, service mark, trade name, or the specific name of a business, partnership, corporation, company, foundation, or organization. Examples of an improper use of commercial identification information include, but are not limited to: "Acme Company President", "Universal Widget Inventor", "Director, Smith Foundation", "UCLA Professor", and the like.

[CA Admin Code, Title 2, Division 7, § 20716\(d\)](#)

- (5) Pursuant to [Elections Code Section 13107\(a\)\(2\)](#), a ballot designation which would suggest an evaluation of the candidate's qualifications, honesty, integrity, leadership abilities or character. Any laudatory or derogatory adjectives which would suggest an evaluation of the candidate's qualifications shall not be permitted. Such impermissible adjectives include, but are not limited to: Senior, emeritus, specialist, magnate, outstanding, leading, expert, virtuous, eminent, best, exalted, prominent, famous, respected, honored, honest, dishonest, corrupt, lazy, and the like.

[CA Admin Code, Title 2, Division 7, § 20716\(e\)](#)

- (6) A ballot designation which uses a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed, or judicial office previously held by the candidate. These include, but are not limited to: Ex-, former, past, and erstwhile. Examples of impermissible designations include: Former Congressman, Ex-Senator, and Former Educator.

[CA Admin Code, Title 2, Division 7, § 20716\(g\)](#)

- (7) A ballot designation which uses the name of any political party, whether or not it has qualified for recognized ballot status. **[§ 13107\(b\)\(5\)](#)**

- (8) A ballot designation which uses a word or words referring to a racial, religious or ethnic group or implies any ethnic or racial slurs or ethically or racially derogatory language.

[CA Admin Code, Title 2, Division 7, § 20716\(j\)\(1\)](#)

- (9) If the candidate is a member of the clergy, the candidate may not make reference to his/her specific denomination. However, the candidate may use his/her clerical title as a ballot designation (e.g., Rabbi, Pastor, Minister, Priest, Bishop, Deacon, Monk, Nun, Imam, etc.)

CA Admin Code, Title 2, Division 7, § 20716(j)(2)

(10) Pursuant to section 13107(b)(7), the Secretary of State shall reject as unacceptable any proposed ballot designation which refers to any activity prohibited by law. Unlawful activity includes and activities, conduct, professions, vocations, or occupations prohibited by state or federal law.

CA Admin Code, Title 2, Division 7, § 20716(k)

Neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:

- (1) It would mislead the Voter.
- (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
- (3) It abbreviates the word "retired" or places it following any word or words which it modifies.
- (4) It used a word of prefix, such as "former" or "ex-", which means a prior status. The only exception is the use of the word "retired".
- (5) It uses the name of any political party, whether or not is has qualified for the ballot.
- (6) It uses a word or words referring to a racial, religious, or ethnic group.
- (7) It refers to any activity prohibited by law.

§ 13107(a)(4)(b)