

**Assembly Bill No. 1768**

CHAPTER 130

An act to amend Section 8040 of the Elections Code, relating to elections.

[Approved by Governor July 16, 2014. Filed with  
Secretary of State July 16, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1768, Fong. Declaration of candidacy: residence address.

Existing law requires a candidate for public office to file a declaration of candidacy that contains, among other things, the residence address of the candidate. Existing law provides that a candidate for judicial office is not required to state his or her residence address on a declaration of candidacy. Existing law requires an elections official to verify whether a candidate's residence address is within the appropriate political subdivision and add a specified notation on the declaration of candidacy if the candidate does not state his or her residence address on the declaration. Existing law provides specified procedures to make a voter's registration information confidential, including a voter's residence address.

This bill would instead provide elections officials with the discretion to allow a candidate for judicial office to withhold his or her residence address from a declaration of candidacy. This bill would also provide elections officials with the discretion to allow a candidate for any office whose voter registration information is confidential, as specified, to withhold his or her residence address from a declaration of candidacy.

*The people of the State of California do enact as follows:*

SECTION 1. Section 8040 of the Elections Code is amended to read:  
8040. (a) The declaration of candidacy by a candidate shall be substantially as follows:

DECLARATION OF CANDIDACY

I hereby declare myself a candidate for nomination to the office of \_\_\_\_\_  
District Number \_\_\_\_\_ to be voted for at the primary election to be held  
\_\_\_\_\_, 20\_\_\_\_, and declare the following to be true:

My name is \_\_\_\_\_.

I want my name and occupational designation to appear on the ballot as follows: \_\_\_\_\_.

Addresses:

Residence \_\_\_\_\_

Business \_\_\_\_\_  
\_\_\_\_\_

Mailing \_\_\_\_\_  
\_\_\_\_\_

Telephone numbers: Day \_\_\_\_\_ Evening \_\_\_\_\_

Web site: \_\_\_\_\_

I meet the statutory and constitutional qualifications for this office (including, but not limited to, citizenship, residency, and party preference, if required).

I am at present an incumbent of the following public office (if any) \_\_\_\_\_.

If nominated, I will accept the nomination and not withdraw.

\_\_\_\_\_  
Signature of candidate

A candidate for voter-nominated office shall also complete all of the following:

(1) I hereby certify that:

(a) At the time of presentation of this declaration, as shown by my current affidavit of registration, I have disclosed the following political party preference, if any: \_\_\_\_\_.

(b) My complete voter registration and party affiliation/preference history, from [10 years prior to current year] through the date of signing this document, is as follows:

Party Registration	County	Timeframe (by year)
_____	_____	_____
_____	_____	_____
_____	_____	_____

(2) Pursuant to Section 8002.5 of the Elections Code, select one of the following:

\_\_\_\_\_ Party Preference: \_\_\_\_\_ (insert the name of the qualified political party as disclosed upon your affidavit of registration).

\_\_\_\_\_ Party Preference: None (if you have declined to disclose a preference for a qualified political party upon your affidavit of registration).

Dated this \_\_\_ day of \_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of candidate

State of California            )  
County of \_\_\_\_\_ ) ss.  
  )

Subscribed and sworn to before me this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public (or other official)

Examined and certified by me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
County Elections Official

WARNING: Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any declaration of candidacy in his or her possession which is entitled to be filed under the provisions of the Elections Code Section 18202.

(b) At the discretion of the elections official, a candidate for a judicial office, or a candidate for any office whose voter registration information is confidential under Section 2166, 2166.5, or 2166.7, may withhold his or her residence address from the declaration of candidacy. If a candidate does not state his or her residence address on the declaration of candidacy, the elections official shall verify whether the candidate’s address is within the appropriate political subdivision and add the notation “verified” where appropriate on the declaration.

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