



**CITY OF BERKELEY  
CITY CLERK DEPARTMENT**

**RECALL PETITION REQUIREMENTS**

- The Notice of Intention and the Certificate of Service required to be filed in Charter Section 7 shall be filed together, at the same time, by one of the Proponents named on the Notice of Intention, or by a person authorized to file by a Proponent named in the Notice of Intention.
- The petition shall be filed by the proponents or by any person or persons authorized in writing by the proponents. All sections of the petition shall be filed at one time.

**RECALL PETITION POLICIES**

- Proponent(s) listed on the Notice of Intention must authorize any other proponents in writing to execute required actions on behalf of recall effort. Any such authorization must list the name of the person so authorized.
- The City Clerk will send a copy of any filing by the proponent to the officer sought to be recalled and will likewise mail a copy of any filing by the officer sought to be recalled to the proponent.
- The filing of any documents or petitions with the City Clerk regarding any recall or petition requirements must occur during normal business hours as posted.

Documents Included:

1. Berkeley Charter – Article IV, Section 7
2. State Elections Code Provisions

**CAUTION**

The following information is intended to be a preliminary guide for those interested in circulating a petition. You are cautioned that it is the responsibility of the petition proponent to ensure that all legal and procedural steps are taken and that all requirements as to form are met. It is advisable to personally review all relevant sections of the Charter and Elections Code. It may also be prudent to seek legal advice.

# **BERKELEY CITY CHARTER**

## **SECTION 7, ARTICLE IV RECALL OF ELECTIVE OFFICERS**

### **Section 7. Recall of Elective Officers.**

#### **(1) Persons subject to recall.**

Every incumbent of an elective office, whether elected by popular vote or appointed to fill a vacancy, is subject to recall by the voters of the City. The procedure for recall shall be as provided in this Section 7.

#### **(2) Commencement of recall proceedings.**

Recall proceedings may be commenced by the service, filing and publication of a notice of intention to circulate a recall petition pursuant to subdivision (6) of this Section 7. Proceedings may not be commenced against the holder of an office unless, at the time of commencement, the holder has held office for at least six months and no recall petition has been filed against such holder within the preceding six months. Recall proceedings may not be commenced if the office holder's term of office ends in six months or less.

#### **(3) Recall petition.**

A petition demanding the recall of the officer sought to be recalled shall be filed with the City Clerk. The petition shall be signed by not less than 25 percent of the registered electors of the City eligible to vote for said officer as indicated by the most recent Report of Registration by the county elections official to the Secretary of State.

#### **(4) Repealed.**

#### **(5) Recall of more than one officer.**

One election is sufficient for the recall of one or more officers, but a separate petition is necessary to propose the recall of each officer.

#### **(6) Notice of intention to circulate petition; statement.**

The proponents shall serve, file and publish a notice of intention to circulate a recall petition. Said notice shall contain the name of the officer sought to be recalled and the title of his or her office, a statement in not more than 500 words of the grounds on which the recall is sought, and the name and address of at least one proponent. The notice of intention shall be served, personally or by certified mail, on the officer sought to be recalled, and a copy thereof with a certificate of the time and manner of service shall be filed with the City Clerk.

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### **(7) Answer to statement of proponents.**

Within seven days after the filing of the notice of intention, the officer sought to be recalled may file with the City Clerk an answer in not more than 500 words to the statement of the proponents, and, if an answer is filed, shall serve a copy thereof, personally or by certified mail, on one of the proponents named in the notice of intention. The statement and answer are intended solely for the information of the voters and no insufficiency in the form or substance thereof shall affect the validity of the election or proceedings.

### **(8) Publication of notice, statement and answer.**

The notice, statement and answer, if any, shall be published by the proponents at least once in a newspaper of general circulation published in the City, or, if there be no such newspaper, then in a newspaper published in the County and of general circulation within the City. The provision of Section 68 of this Charter indicating that posting shall be sufficient publication of any matter required by the Charter to be published shall not be applicable to the publication requirement of this Subdivision (8) of Section 7.

### **(9) Circulation of petition.**

Seven days after filing an affidavit of publication of the notice, statement and answer, if any, with the City Clerk, the recall petition may be circulated and signed. The petition shall bear a copy of the notice of intention, statement and answer, if any. If the officer has not answered, the petition shall so state. Signatures shall be secured and the petition filed within 90 days from the filing of the affidavit of publication.

### **(10) Signatures.**

The signatures appended to the petition need not all be appended to one paper but may be in sections. Each signer shall print his or her name, add his or her signature, and list his or her residence, giving street and number. If no street or number exists, then a designation of the place of residence shall be given which will enable the location to be readily ascertained.

### **(11) Affidavit of Circulator.**

Each section of the petition shall have attached to it an affidavit made by the circulator of the petition. The affidavit shall be sworn to under penalty of perjury and shall conform to the requirements of the state Elections Code Sections 104 and 9022 or their successors.

Any section of a petition may include a number of attached sheets.

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### **(12) Clerk's examination of petition**

In order to be acceptable for filing, the petition must on its face purport to have appended to it signatures of voters in the required number. Within 30 business days from the date the petition is filed, the Clerk shall examine and from the records of registration ascertain whether or not the petition is signed by the requisite number of voters. He or she shall attach to the petition his or her certificate showing the result of his or her examination.

### **(13) Insufficient petition.**

If the certificate of the City Clerk shows that the petition is insufficient, no action shall be taken thereon. The petition shall remain on file pursuant to Elections Code Section 11226 as it may be amended from time to time, and the failure to secure sufficient names shall not prejudice the filing later of an entirely new petition to the same effect.

### **(14) Submission to Council; order for election.**

If the petition is sufficient, the Clerk shall submit certification of petition's sufficiency to the Council without delay. The Council shall at once order a special election to be held, not less than 100 nor more than 180 days after the date of the order, to determine whether the voters will recall the officer sought to be recalled. If a regular municipal election, a previously called special municipal election, or any statewide election is to be held within this time period, the Council may order the recall election to be held on the day of that election.

### **(15) Nominations.**

(a) The provisions of Section 6 1/2 of Article III of the Charter shall be applicable in recall proceedings and elections.

(b) The officer sought to be recalled as well as the candidate or candidates nominated to succeed him or her may file the candidate's statement provided for in Section 6 1/2 of Article III of the Charter. The candidate's statement of the officer sought to be recalled shall be filed not later than the last day upon which nomination papers may be filed.

(c) The City Council shall set the nomination period by resolution. Said filing period shall end no later than the 88th day prior to the election.

### **(15.5) Sample ballot.**

The Clerk shall cause to have mailed to each voter, at least 10 days prior to the election, a sample ballot and a separate printed copy of the statement of the proponents and of the answer, if any, of the officer sought to be recalled. If the

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recall of more than one officer is sought, the statement and answer for each shall be printed together and shall be clearly distinguished from those of any other officer.

### **(16) Form of recall question.**

There shall be printed on the recall ballot, as to each officer whose recall is to be voted on, the following question: "Shall (name of person) be recalled from the office of (title of the office)?" Following which question shall be the words "yes" and "no" on separate lines, with a voting square at the right of each, in which the voter shall indicate in the manner prescribed his or her vote for or against the recall.

### **(17) Ballot; nominees; counting votes.**

On the recall ballots, under each question, there shall be printed the names of those persons who have been nominated, in the manner provided by this Charter for nominations at municipal elections, as candidates to succeed the incumbent if he or she is recalled from office by the recall election. The name of the person against whom the petition is filed shall not appear on the ballot as a candidate for the office. Voting procedure shall be in accordance with Article III, Section 5, Paragraph 12 and Article V, Section 9 of the City Charter.

### **(18) Canvass of votes.**

The City Council shall meet at its usual place of meeting on the first Tuesday after the completion of the canvass of votes cast to declare the results as in a regular election. If a majority of those voting at the election voted in favor of the recall of any incumbent from office, the incumbent shall be deemed removed from office upon the qualification of his successor.

If all of the members of the City Council or Board of Education are recalled, and no candidates are elected to succeed them, the recall shall fail and the incumbents shall remain in office.

If all or part of the members of the City Council or Board of Education are recalled, and not enough candidates are elected to provide a quorum, the appointment of persons to bring the membership up to a quorum shall be by the remaining members of the City Council or Board of Education, as the case may be. The quorum shall fill the remaining vacancies by appointments. If there are any unfilled vacancies remaining 60 days after the completion of the canvass of votes cast, and more than 180 days will elapse before the next general municipal election will be held, the City Council shall immediately cause an election to be held to fill the vacancies.

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A person appointed to office under this section shall hold office for the remainder of the unexpired term of the recalled officer whose position he or she is appointed to fill.

### **(19) Declaration of election of candidate; failure to qualify; filling vacancy.**

If the vote recalls the officer, the candidate who has received the highest number of votes for the office shall be declared elected for the unexpired term of the former incumbent. If the person who received the highest number of votes fails to qualify within 10 days after the declaration of his or her election, the office shall become vacant and shall be filled according to law.

### **(20) Vacancy in office after recall petition is filed.**

(1) If a vacancy occurs in the office sought to be recalled and more than one candidate has been nominated for the office, then the election shall be held as a special election to fill the vacancy and the recall question shall not appear on the ballot.

(2) If a vacancy occurs in the office sought to be recalled and only one person has been nominated for the office or no person has been nominated for the office, an election shall not be held. In such case the City Council or Board of Education, as the case may be, shall appoint to the office the person nominated, or, if no person has been nominated, shall appoint any qualified person.

### **(21) Disqualification from office.**

A person who has been recalled, or who has resigned from office while recall proceedings were pending against him or her, shall not be a candidate for nor appointed to such office within one year after his or her resignation or recall.

### **(22) Further regulations.**

The City Council may, by resolution, make such further regulations as may be necessary to carry out the provisions of this Section.

# CALIFORNIA ELECTIONS CODE

## Division 0.5, Chapter 2. Petitions and Petition Signers

**100. Petitions and Petition Signers; Form of Petition; Only registered voter entitled to sign petition; printed name and place of residence; form of petition**

(a) Notwithstanding any other provision of law, whenever an initiative, referendum, recall, nominating petition or paper, or any other petition or paper is required to be signed by voters of a county, city, school district, or special district subject to petitioning, only a person who is an eligible registered voter at the time of signing the petition or paper is entitled to sign the petition or paper. A person who submits their affidavit of registration pursuant to subdivision (d) of Section 2102 is not eligible to sign a petition or paper unless at the time of the signing of the petition or paper that person is 18 years of age.

(b) A signer shall at the time of signing the petition or paper personally affix their signature, printed name, and place of residence, including the street and number of the place of residence, and if no street or number for the place of residence exists, then a designation of the place of residence that will enable the location to be readily ascertained. An incomplete or inaccurate apartment or unit number in the signer's residence address shall not invalidate their signature pursuant to Section 105. A space at least one inch wide shall be left blank after each name for the use of the elections official in verifying the petition or paper.

(c) The part of a petition for the signatures, printed names, and residence addresses of the voters and for the blank spaces for verification purposes shall be numbered consecutively commencing with the number one and continuing through the number of signature spaces allotted to each section. The petition format shall be substantially in the following form:

		Official Use Only
(Print Name)  1. (Signature)	(Residence Address ONLY)  (City)	
(Print Name)  2. (Signature)	(Residence Address ONLY)  (City)	

(d) A county elections official who verifies signatures on an initiative, referendum, recall, nominating petition or paper, or any other petition or paper that is required to be signed by voters of a county, city, school district, or special district subject to petitioning may establish and require the use of a standardized petition form for distribution within and submission to the county.

*(Amended by Stats. 2024, Ch. 120, Sec. 1. (AB 3197) Effective January 1, 2025.)*

**100.5. Allow another person to print name and residence for those unable to do so.**

Notwithstanding Section 100, a voter who is unable to personally affix on a petition or paper the information required by Section 100 may request another person to print the voter's name and place of residence on the appropriate spaces of the petition or paper, but the voter shall personally affix his or her mark or signature on the appropriate space of the petition or paper, which shall be witnessed by one person by subscribing his or her name thereon.

*(Amended by Stats. 2001, Ch. 922, Sec. 2. Effective January 1, 2002.)*

**101. Petition notice to the public**

(a) Notwithstanding any other law, a state or local initiative, referendum, or recall petition required to be signed by voters shall contain in 11-point type, before that portion of the petition for voters' signatures, printed names, and residence addresses, the following language, in order:

(1) "NOTICE TO THE PUBLIC:". This text shall be in a boldface type.

(2) If the petition includes the disclosure statement described by subdivision (b) of Section 107, the text "SIGN ONLY IF IT IS THE SAME MONTH SHOWN IN THE OFFICIAL TOP FUNDERS OR YOU SAW AN "OFFICIAL TOP FUNDERS" SHEET FOR THIS MONTH." This text shall be in a boldface type.

(3) "THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK." This text shall be in a non-boldface type.

(b) A state initiative petition shall contain, in the same location and type size described in subdivision (a), the following language in a non-boldface type: "THE PROPONENTS OF THIS PROPOSED INITIATIVE MEASURE HAVE THE RIGHT TO WITHDRAW THIS PETITION AT ANY TIME BEFORE THE MEASURE QUALIFIES FOR THE BALLOT."

*(Amended by Stats. 2022, Ch. 887, Sec. 2. (SB 1360) Effective January 1, 2023.)*

**102. Voter may circulate petition. Age of circulator.**

A person shall not circulate a state or local initiative, referendum, or recall petition or nominating paper unless the person is 18 years of age or older.

*(Amended by Stats. 2013, Ch. 278, Sec. 1. Effective January 1, 2014.)*

**103. Signature withdrawn from petition.**

A voter who has signed an initiative, referendum, or recall petition pursuant to the Constitution or laws of this state shall have their signature withdrawn from the petition upon filing a written request that includes the name or title of the petition and the voter's name, residence address, and signature with the appropriate county elections official or city elections official prior to the day the petition is filed. A written request made under this section shall not constitute a petition or paper for purposes of Section 104.

*(Amended by Stats. 2022, Ch. 166, Sec. 1. (AB 2967) Effective January 1, 2023.)*

**104. Declaration of circulator attached to petition; form.**

(a) Wherever any petition or paper is submitted to the elections official, each section of the petition or paper shall have attached to it a declaration signed by the circulator of the petition or paper, setting forth, in the circulator's own hand, the following:

(1) The printed name of the circulator.

(2) The residence address of the circulator, giving street and number, or if no street or number exists, adequate designation of residence so that the location may be readily ascertained.

(3) The dates between which all the signatures to the petition or paper were obtained.

(b) Each declaration submitted pursuant to this section shall also set forth the following:

(1) That the circulator circulated that section and witnessed the appended signatures being written.

(2) That according to the best information and belief of the circulator, each signature is the genuine signature of the person whose name it purports to be.

(3) That the circulator is 18 years of age or older.

(4) If the petition does not include the disclosure statement described by subdivision

(b) of Section 107, that the circulator showed each signer a valid and unfalsified "Official Top Funders" sheet, as required by Section 107.

(c) The circulator shall certify the content of the declaration as to its truth and correctness, under penalty of perjury under the laws of the State of California, with the signature of the circulator's name. The circulator shall state the date and the place of execution on the declaration immediately preceding the circulator's signature.

*(Amended by Stats. 2019, Ch. 563, Sec. 2. (SB 47) Effective January 1, 2020.)*

### **105. Examination of petitions; residence address verification.**

(a) (1) For purposes of verifying a signature on an initiative, referendum, recall, nomination, or other election petition or paper, the elections official shall determine that the residence address on the petition or paper is the same as the residence address on the affidavit of registration. If the addresses are different, or if the petition or paper does not specify the residence address, or, in the case of an initiative or referendum petition, the information specified in Section 9020 is not contained in the petition, the affected signature shall not be counted as valid.

(2) Notwithstanding paragraph (1), the elections official shall not invalidate a signature for an incomplete or inaccurate apartment or unit number in the signer's residence address.

(b) A signature invalidated pursuant to this section shall not affect the validity of another valid signature on the particular petition or paper.

*(Amended by Stats. 2014, Ch. 909, Sec. 4. Effective January 1, 2015.)*

### **107. Official Top Funders sheet**

(a) (1) A committee formed pursuant to Section 82013 of the Government Code that pays for the circulation of a state or local initiative, referendum, or recall petition shall create an Official Top Funders sheet as follows, with all text in a black roman type with a type size of 14 point on a plain, contrasting background, and centered horizontally, except as described below. None of the text shall have its type condensed or have the spacing between characters reduced to be narrower than a normal roman type. Unless otherwise specified, the text shall not be boldface type.

(2) At the top of the sheet shall appear the text "OFFICIAL TOP FUNDERS. Valid only for", followed by a month and year that starts at most seven days after the date the top contributors as defined in subdivision (c) of Section 84501 of the Government Code were last confirmed. This text shall be boldface type and with a type size of at least 16 point.

(3) Next, separated by a blank horizontal line from the text in paragraph (2), shall appear the title of the initiative, referendum, or recall as it appears on the petition, in all capital letters.

(4) (A) Next, separated by a blank horizontal line from the text in paragraph (3), shall appear a disclosure statement in a printed or drawn box with a black border.

(B) At the top of the disclosure statement shall appear the text "Petition circulation paid for by" in boldface text.

(C) Next, on a separate horizontal line, shall appear the name of the committee as it appears on the most recent Statement of Organization filed pursuant to Section 84101 of the Government Code. If the committee has any top contributors as defined in

subdivision (c) of Section 84501 of the Government Code, it shall be followed by a blank horizontal line and then the underlined text “Committee major funding from:”.

(D) The top contributors as defined in subdivision (c) of Section 84501 of the Government Code, if any, shall each be disclosed in boldface text on a separate horizontal line separate from any other text, in descending order, beginning with the top contributor who made the largest cumulative contributions, as defined in subdivision (b) of Section 84501 of the Government Code, on the first line.

(E) The committee, in its discretion, may include the underlined text “Endorsed by:”, followed by a list, not underlined, of up to three endorsers. The text pursuant to this subparagraph shall be separated from the text above and below it by a blank horizontal line.

(F) The following line shall include the text “Latest Official Top Funders:” followed by either (i) the internet web page on the Secretary of State’s internet website that lists the “Official Top Funders” statements that are reported pursuant to subdivision (f), or (ii) the internet website described in subdivision (c).

(5) If the petition is a state initiative petition, next, separated by at least two blank horizontal lines from the disclosures of paragraphs (4) and (5), shall appear the text “OFFICIAL TITLE AND SUMMARY (SAME AS ON PETITION)”, in boldface text in all capital letters.

(6) If the petition is a state initiative petition, next, starting on a separate horizontal line, shall appear the text “The Attorney General of California has prepared the following circulating title and summary of the chief purpose and points of the proposed measure:”, in boldface text with a type size of 11 point.

(7) If the petition is a state initiative petition, next, starting on a separate horizontal line, shall appear the Attorney General summary of the initiative as it appears on the initiative petition, in plain text with a type size of 11 point.

(b) Notwithstanding any other law, a state or local initiative, referendum, or recall petition that requires voter signatures and for which the circulation is paid for by a committee formed pursuant to Section 82013 of the Government Code shall either include a disclosure statement on the petition that is displayed as follows or the circulator for the petition shall present as a separate document the Official Top Funders sheet described in subdivision (a) to a prospective signer of the petition.

(1) The disclosure statement shall have a solid white background and shall be in a printed or drawn box with a black border and shall appear before that portion of the petition for voters’ signatures, printed names, and residence addresses. The text in the disclosure area shall be in a black Arial equivalent type with a type size of at least 10 point, with all lines centered horizontally in the disclosure area.

(2) The top of the disclosure shall include the text “OFFICIAL TOP FUNDERS. Valid only for”, followed by a month and year that starts at most seven days after the date the top contributors as defined in subdivision (c) of Section 84501 of the Government Code were last confirmed. The text of this paragraph shall be boldface.

(3) Next shall appear, on a separate horizontal line, the text “Petition circulation paid for by”, followed by the name of the committee as it appears on the most recent Statement of Organization filed pursuant to Section 84101 of the Government Code. If the committee has any top contributors as defined in subdivision (c) of Section 84501 of the Government Code, it shall be followed by, on a separate horizontal line, the underlined text “Committee major funding from:”.

(4) The top contributors as defined in subdivision (c) of Section 84501 of the Government Code, if any, shall each be disclosed in boldface text on a separate horizontal line separate from any other text, in descending order, beginning with the top contributor who made the largest cumulative contributions, as defined in subdivision (b) of Section 84501 of the Government Code, on the first line.

(5) The committee, in its discretion, may include the underlined text “Endorsed by:”, followed by a list, not underlined, of up to three endorsers. The text in this paragraph shall be separated from the text above and below it by a blank horizontal line.

(6) The following line shall include the text “Latest info:” followed by the URL for either (A) the internet web page on the Secretary of State’s internet website that lists the “Official Top Funders” statements that are reported pursuant to subdivision (f), or (B) the internet website described in subdivision (c). The text specified in this paragraph shall be underlined.

(c) Any committee formed pursuant to Section 82013 of the Government Code that pays for the circulation of a state or local initiative, referendum, or recall petition may create a page on an internet website that includes both of the following:

(1) A prominent link to the most recent Official Top Funders sheet as described in subdivision (a). The Official Top Funders sheet that the page links to shall be in a format that allows it to be viewed on an internet website and printed out on a single page of paper.

(2) A prominent link to the full text of the initiative or referendum.

(d) The disclosure of a top contributor or endorser pursuant to this section need not include terms such as “incorporated,” “committee,” “political action committee,” or “corporation,” or abbreviations of these terms, unless the term is part of the contributor’s or endorser’s name in common usage or parlance.

(e) If this section requires the disclosure of the name of a top contributor that is a committee pursuant to subdivision (a) of Section 82013 of the Government Code and is a sponsored committee pursuant to Section 82048.7 of the Government Code with

a single sponsor, only the name of the single sponsoring organization shall be disclosed.

(f) A committee that circulates a state initiative, referendum, or recall petition shall submit the Official Top Funders sheet required by subdivision (a), and any updates to that statement, to the Secretary of State, who shall post that statement on the Secretary of State's internet website along with the previous versions the committee submitted.

(g) This section does not require a local elections official to verify the accuracy of the information required by this section or to re-approve the petition upon any updates the committee makes.

(h) Signatures collected on an initiative, referendum, or recall petition are not invalid solely because the information required by this section was absent or inaccurate.

(i) For purposes of this section, "endorser" means:

(1) A business that has been in existence for at least two years and has had at least one full-time staffer during that period.

(2) A non-profit organization that was not originally created for the purposes of serving as a committee, that has been in existence for at least two years, and either has received contributions from more than 50 donors in that period or has had at least one full-time staffer during that period.

(3) A political party.

(4) An individual, whose name may include their title if they are an elected official or represent one of the organizations described in paragraph (1), (2), or (3).

*(Amended by Stats. 2022, Ch. 887, Sec. 3. (SB 1360) Effective January 1, 2023.)*

### **108. Binding of petition pages**

Notwithstanding any other law, the pages of a petition may be bound together by any reasonable method, including the use of staples.

*(Added by Stats. 2019, Ch. 563, Sec. 4. (SB 47) Effective January 1, 2020.)*

## CALIFORNIA ELECTIONS CODE

### Division 11, Chapter 1, General Procedures: General Provisions and Initial Steps in the Recall

#### **11005. Proponents must be registered voters of jurisdiction.**

The proponents of a recall must be registered voters of the electoral jurisdiction of the officer they seek to recall.

*(Enacted by Stats. 1994, Ch. 920, Sec. 2.)*

#### **11040. Number of sections and signatures.**

(a) The petition may consist of any number of separate sections, which shall be duplicates except as to signatures and matters required to be affixed by signers and circulators. The number of signatures attached to each section shall be at the pleasure of the person soliciting the signatures.

(b) Each section of the petition may consist of any number of separate pages. A page shall consist of each side of a sheet of paper on which any signatures appear.

*(Enacted by Stats. 1994, Ch. 920, Sec. 2.)*

### Division 11. Recall Elections, Chapter 3, Recall of Local Officers: Intermediate Steps in the Recall

#### **11222. Filing and examination of petition.**

(a) The petition shall be filed by the proponents, or by any person or persons authorized, in writing, by a proponent. All sections of the petition shall be filed at the same time.

(b) When the petition is presented for filing, the elections official shall determine the total number of signatures affixed to the petition. If, from this examination, the elections official determines that the number of signatures, prima facie, equals or is in excess of the minimum number of signatures required, the elections official shall accept the petition for filing. The petition shall be deemed as filed on that date. A section of the petition not so filed is void for all purposes. If, from the elections official's examination, the elections official determines that the number of signatures, prima facie, does not equal or exceed the minimum number of signatures required, the official shall not take further action.

*(Amended by Stats. 2018, Ch. 58, Sec. 12. (AB 3259) Effective January 1, 2019.)*

## **Division 11. Recall Elections, Chapter 4, General Procedures: Final Steps in the Recall**

### **11301. Examination of petition signatures when found insufficient.**

If a petition is found insufficient by the elections official or, in the case of the recall of a state officer, the Secretary of State, the petition signatures may be examined in accordance with Section Article 2 (commencing with Section 7924.100) of Chapter 2 of Part 5 of Division 10 of Title 1 of the Government Code.

*(Amended by Stats. 2021, Ch. 615, Sec. 97. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)*

### **11303. Withdrawal of signature.**

A voter who has signed a recall petition shall have their signature withdrawn from the petition upon filing a written request that includes the name or title of the petition and the voter's name, residence address, and signature with the elections official prior to the day the petition section bearing the voter's signature is filed. A written request made under this section shall not constitute a petition or paper for purposes of Section 104.

*(Amended by Stats. 2022, Ch. 166, Sec. 4. (AB 2967) Effective January 1, 2023.)*