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GOVERNMENT CODE - GOV

TITLE 3. GOVERNMENT OF COUNTIES [23000 - 33205] (Title 3 added by Stats. 1947, Ch. 424.)

DIVISION 1. COUNTIES GENERALLY [23000 - 23732] (Division 1 added by Stats. 1947, Ch. 424.)

CHAPTER 3.5. Consolidation of Counties [23500 - 23580] (Chapter 3.5 added by Stats. 1974, Ch. 1391.)

ARTICLE 4. Election [23550 - 23566] (Article 4 added by Stats. 1974, Ch. 1391.)

23550. Upon receiving the commission's determinations, the board of supervisors of each affected county shall order and give proclamation and notice of an election to be held in their respective affected county, the election to be held in each affected county on the same specified day which shall be the next established election date in the principal county not less than 74 days after receipt of the commission's determinations, for the purpose of determining whether the affected counties shall be established and organized as a consolidated county.

(Added by Stats. 1974, Ch. 1391.)

23551. The proclamation and notice of election to determine whether a consolidated county should be organized shall be published at least once a week for three weeks commencing not less than 70 days prior to the date of the election in a newspaper of general circulation in each affected county.

(Added by Stats. 1974, Ch. 1391.)

23552. At the same time that the board of supervisors of each affected county issues a proclamation and notice of election for the purpose of determining whether the proposed consolidated county shall be organized, the boards shall issue a proclamation and notice of an election to be held on the same day in each affected county, with the same election officers, for the election of officers and the location of the county seat of the proposed consolidated county if the vote at the election is in favor of organizing the proposed consolidated county.

(Added by Stats. 1974, Ch. 1391.)

23553. The notice of election shall:

- (a) State distinctly the propositions to be submitted.
- (b) State the names of the counties proposed to be consolidated.
- (c) State the date of the election.
- (d) Designate the election precincts and places at which the polls will be open as established by the board of each affected county.
- (e) Instruct the electors how to vote in the election.
- (f) Request the submission of written arguments for and written arguments against the proposed county consolidation.
- (g) A statement that the board of supervisors of an affected county or any member or members of such board authorized by the board, any city council or a city within an affected county or any member or members of such council authorized by the council, any qualified elector entitled to vote at the election, any bona fide association of citizens, or any combination of qualified electors and associations may submit and file written arguments with the clerk of the principal county for printing and distribution in the ballot pamphlet, not later than 54 days prior to the date of the election.
- (h) A statement that only one argument for and one argument against shall be selected and printed in the ballot.
- (i) A statement that arguments shall not exceed 500 words in length and shall be accompanied by at least one and not more than three signatures.

(Added by Stats. 1974, Ch. 1391.)

23554. All qualified electors of each affected county who have been registered electors of the county 30 days prior to the date of the election are entitled to vote at the election. Registration and transfers of registration shall be made and shall close in the manner and at the times provided by law for registration and transfers of registration for a general election in the state.

(Added by Stats. 1974, Ch. 1391.)

23555. Ballots at the election shall contain the words:

- (a) "For consolidation Yes," and "For consolidation No." Each voter shall stamp a cross (+) opposite the words "Yes," or "No."
- (b) "For (name of county seat as determined by commission) as county seat Yes" and "For (name of county seat as determined by commission) as county seat No". Each voter shall stamp a cross (+) opposite the words "Yes," or "No."

(Added by Stats. 1974, Ch. 1391.)

23556. Candidates for elective offices of the consolidated county shall file nomination papers at the same time and in the same manner as candidates for the governing body of general law counties.

(Added by Stats. 1974, Ch. 1391.)

23557. The election shall be governed and controlled by the general election laws of the state so far as applicable, except as otherwise provided in this article.

(Added by Stats. 1974, Ch. 1391.)

23558. If more than one argument for or more than one argument against the proposed consolidation is filed with the clerk of the principal county the clerk shall select one of the arguments for and one of the arguments against the proposed consolidation for printing and distribution to the electors.

In selecting arguments, the clerk shall give preference and priority in the order specified to arguments submitted by the following:

- (a) The board of supervisors of an affected county, or any member or members of such board authorized by it.
- (b) The city council of any city located within an affected county, or any member or members of such council authorized by it.
- (c) Qualified electors or bona fide associations of citizens, or combinations of electors and associations.

(Added by Stats. 1974, Ch. 1391.)

23559. The elections official of the principal county shall cause a ballot pamphlet concerning the proposed consolidation to be printed and mailed to each qualified elector of each affected county.

The ballot pamphlet shall contain the following in the order prescribed:

- (a) An impartial analysis of the proposed consolidation prepared by the commission.
- (b) A summary of the commission's report on fiscal impact of the proposed consolidation.
- (c) A summary of the commission's terms and conditions.
- (d) The names of the persons to be voted for to fill the county offices designated by the commission.
- (e) The argument for consolidation.
- (f) The argument against consolidation.

The elections official shall mail a ballot pamphlet to each qualified elector at least 10 days prior to the date of the election. The ballot pamphlet is "official matter" within the meaning of Section 13303 of the Elections Code.

(Amended by Stats. 1994, Ch. 923, Sec. 46. Effective January 1, 1995.)

23560. The clerk shall also prepare and mail to the qualified electors of each affected county a sample ballot. The sample ballot shall be mailed with and at the same time as the ballot pamphlet.

(Added by Stats. 1974, Ch. 1391.)

23561. The law relating to the preparation, printing, and distribution of sample ballots and primary elections does not apply to any election held pursuant to this article.

(Added by Stats. 1974, Ch. 1391.)

23562. Except as otherwise provided by this article, the election shall be conducted as other elections in the principal county.

(Added by Stats. 1974, Ch. 1391.)

23563. The board of each affected county shall appoint as election officers three representatives who reside in the affected county represented.

(Added by Stats. 1974, Ch. 1391.)

23564. Immediately on the closing of the polls the election officers shall, in connection with the affected county they represent:

- (a) Canvass the ballots.
- (b) Make up and certify the tally sheets of the ballots cast.
- (c) Seal up the ballots.
- (d) Attach a statement, signed by each election officer, to the tally sheets showing the number of votes cast and the number of votes cast for and against each of the propositions submitted to the electors.
- (e) Seal up the tally sheets.

(Added by Stats. 1974, Ch. 1391.)

23565. The clerk of each affected county shall upon the completion of a canvass of the vote, in the county the clerk represents, forward to the board of that affected county, a certified copy of the results of the canvass, giving the number of votes cast in that affected county for each of the propositions submitted to the electors and the number of votes cast in that affected county against each of the propositions submitted to the electors.

(Added by Stats. 1974, Ch. 1391.)

23566. All costs of the election on county consolidation shall be borne by the consolidated county if the county consolidation is effected. If the county consolidation is not effected, the costs of the election shall be borne by all the affected counties on an equal basis.

(Added by Stats. 1974, Ch. 1391.)