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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 5. County Charters [23700 - 23732] (Chapter 5 added by Stats. 1969, Ch. 1264.)

ARTICLE 2. Charter Amendment and Repeal [23720 - 23725] (Article 2 added by Stats. 1969, Ch. 1264.)

23720. (a) A county charter may be amended by proposals submitted by the governing body or by a petition signed by 10 percent of the qualified electors of the county, computed upon the total number of votes cast in the county for all candidates for Governor at the last general election at which a Governor was elected, filed in the office of the county elections official, petitioning the governing body to submit a proposed amendment or amendments to the charter of the county to the qualified electors of the county, which amendment or amendments are set forth in full in the petition.

(b) A county charter may be repealed by proposals submitted by the governing body or by a petition signed by 10 percent of the qualified electors of the county computed upon the total number of votes cast in the county for all candidates for Governor at the last general election at which a Governor was elected. The petition, petitioning the governing body to submit the question of charter repeal to the qualified electors of the county, shall be filed in the office of the county elections official.

(c) Petitions to amend or repeal a county charter shall be subject to Article 1 (commencing with Section 9100) of Chapter 2 of Division 9 of the Elections Code.

(Amended by Stats. 1994, Ch. 923, Sec. 50. Effective January 1, 1995.)

23721. The petition shall forthwith be examined and certified by the county elections official as provided in Article 1 (commencing with Section 9100) of Chapter 2 of Division 9 of the Elections Code.

(Amended by Stats. 1994, Ch. 923, Sec. 51. Effective January 1, 1995.)

23722. Upon the presentation of a petition, or upon its own submission of a proposal to amend or repeal the charter, the governing body shall submit the amendment or amendments proposed or the question of the repeal of the charter to the eligible registered voters of the county at a special election held on the next established election date not less than 88 days after the presentation of the petition, or submission of the proposal. In submitting the question of charter repeal or amendment, any alternative article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others.

The county elections official shall cause the complete text of the proposed amendment or amendments to be printed. A copy of the proposed amendment or amendments shall be made available to any voter upon request.

The impartial analysis prepared pursuant to Section 9160 of the Elections Code shall include a statement notifying voters that they may call the county elections official's office and request that a copy of the proposed amendment or amendments to the charter be mailed to them at no cost.

(Amended by Stats. 1994, Ch. 923, Sec. 52. Effective January 1, 1995.)

23723. If the majority of electors voting, at a general or special election, shall vote in favor of the proposed amendment or amendments or in favor of charter repeal, the amendment or amendments or charter repeal shall be deemed to be ratified but shall not take effect until accepted and filed by the Secretary of State pursuant to the provisions of Section 23724.

(Amended by Stats. 1975, Ch. 238.)

23724. Two copies of the amendment or amendments shall be authenticated, certified, recorded, submitted, filed and published in the same manner as provided in Sections 23713 and 23714 for the charter, and with like force and effect.

(Amended by Stats. 1975, Ch. 238.)

23725. (a) (1) Notwithstanding any other provision of law, the charter of the County of San Diego may be amended as provided in Section 23720 to require that candidates for county office be elected at the general election and to make conforming changes to election procedures to implement the charter amendment, including allowing the County of San Diego to establish rules governing qualification and filing dates for write-in candidates. Only the candidates who receive the highest or second highest number of votes cast at the primary election shall appear on the ballot as candidates for county office at the ensuing general election. In the event there are two or less candidates for county office, the names of the candidates shall not appear on the primary election ballot and the candidate for county office with the highest number of votes cast shall be elected at the general election.

(b) Notwithstanding Section 23722, when an elections official has determined that a petition for an initiative charter amendment authorized by this section has been signed by 10 percent of the qualified electors of the county, computed upon the total number of votes cast in the county for all candidates for Governor at the last general election at which a Governor was elected, the elections official shall submit the measure to the voters of the county at the next general election occurring not less than 88 days from the date of the elections official's determination. The elections official may set forth a public examination period that is less than 10 calendar days if the elections official determines that an abbreviated examination period is necessary, or that time does not permit a public examination period, to ensure the timely printing of ballots or is otherwise necessary for the efficient administration of elections.

(c) For purposes of this section, "county office" means any of the following offices:

(1) County supervisor.

(2) District attorney.

(3) Sheriff.

(4) Assessor, recorder, and county clerk.

(5) Treasurer and tax collector.

(6) Member of the county board of education.

(d) The amendments made by the act adding this section shall be effective on and after January 1, 2018.

(Repealed and added by Stats. 2018, Ch. 451, Sec. 4. (SB 869) Effective September 17, 2018.)