

Non-Partisan Ballot Labels



MODEL STATUTORY LANGUAGE

An Act to Create Non-Partisan Ballot Labels

Section 1: SHORT TITLE

This Act shall be called the “Non-Partisan Ballot Labeling Act of 20XX.”

Section 2: PURPOSE

The purpose of this Act is to provide voters with valuable information regarding the substantive positions and endorsements of candidates in non-partisan elections through the use of ballot labels.

Section 3: NON-PARTISAN BALLOTS

In any non-partisan election conducted in any town, municipality or other jurisdiction, the ballots shall include non-partisan ballot labels, as described in Section 4 of this Act.

Section 4: NON-PARTISAN BALLOT LABELS— SUBMISSION AND REVIEW

(a) Not later than ninety (90) days before the day of election, each properly nominated candidate in a non-partisan election shall submit to the Secretary of State, County or City Clerk, or relevant election authority, such candidate’s proposed non-partisan ballot label.

(b) In the event that any candidate fails to submit such candidate’s non-partisan ballot labels in accordance with subsection (a) of this section, such candidate may be permitted to submit such Non-partisan ballot labels, at the discretion of the Secretary of State, County or City Clerk, or relevant election authority, upon a showing of good cause and if doing so would not unfairly prejudice any other candidate for the same office or negatively affect the administration of the election.

(c) Non-partisan ballot labels shall be limited to not more than 100 characters each and may include only:

- (i) indications of the candidates’ positions on political issues and
- (ii) names of individuals or non-governmental and nonprofit organizations which have publicly endorsed such candidate, with the exception of political parties and other political committees.

(d) Within 10 calendar days of its submission, each candidate’s non-partisan ballot label shall be subject to review by the Secretary of State, County or City Clerk, or the relevant election authority to ensure compliance with subsection (c) of this section.

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(e) Upon completion of the review contemplated in subsection (d) of this section but no later than 25 days after submission, the Secretary of State, County or City Clerk, or the relevant election authority shall issue a notice of approval or rejection of such candidate's non-partisan ballot label.

(i) In the event of approval, such candidate's non-partisan ballot labels shall be included on the ballot directly below the candidate's name.

(ii) In the event of rejection, the notice of rejection shall include an explanation of each grounds for rejection. Any candidate who is issued a notice of rejection shall have 15 calendar days from the issuance of such notice to submit a revised non-partisan ballot label correcting or removing the grounds for rejection contained within such notice. However, in no event may a candidate submit a revised non-partisan ballot label later than forty-five (45) days before the day of election. If any grounds for rejection remain uncorrected later than forty-five (45) days before the day of election, the non-partisan ballot label for such candidate shall be omitted from the ballot.

Section 5: SEVERABILITY CLAUSE

If any part of this Act is declared unconstitutional by a court of competent jurisdiction, the remaining parts shall survive in full force and effect. If a conflict arises between this Act and any other provision of law, the policies and purposes of this Act shall govern.

Section 6: EFFECTIVE DATE

This Act shall go into effect the _____ day of _____ 20____.