

LEGISLATIVE DIGEST

[Municipal Elections Code - Candidates' Chinese Character-Based Names on Ballots]

Ordinance amending the Municipal Elections Code to update the qualifications and procedures for the translation or transliteration of the names of candidates for local office into Chinese character-based names to appear on the ballot.

Existing Law

Existing local law requires that the names of candidates for City elective office appear on the ballot in Chinese characters. The Director of Elections must cause a translation or a transliteration of the candidate's name to be created by a qualified Chinese-language interpreter. The candidate may submit documentary evidence demonstrating established use of a particular translated or transliterated name. Existing law does not further define what constitutes "established" use of a particular name. The Department of Elections also applies these requirements to candidates for political party central committees and councils.

Under Department of Elections policy, a translated name must be comprised of neutral characters that do not convey characteristics on the candidate that are intended to influence the voters. The Department review requests for Chinese character names during the nomination period for each office prior to the election.

Amendments to Current Law

The proposed ordinance would modify the process for candidates for City elective office and candidates for political party central committees and councils to obtain a Chinese character name as follows:

- Candidates who do not have a Chinese character name given at birth may submit documentary evidence showing established use of a particular name. The evidence must show that the candidate has been known by the name in the public sphere during the preceding two years.
- Candidates who were given a Chinese character name at birth may submit a birth certificate or identification verifying the name, a declaration of a family member attesting to the name if they do not have a birth certificate or identification, or their own declaration attesting to the name if they are unable to obtain a declaration from a family member.