

PROPOSED REGULATORY ACTION BY CALPERS

**Proposed Amendment of Section 554.5 of Article 2 of Subchapter 1 of Chapter 2 of Division 1
of Title 2 of the California Code of Regulations**

§ 554.5. Nomination of Candidates

- (a) A person qualifies for nomination if he or she meets the eligibility criteria set forth in Government Code section 20090, subdivision (g), for the Board member position that is the subject of the election. To qualify for candidacy, a nominee must complete the procedures for nomination set forth in the Notice of Election. An individual nominee may not be a candidate for more than one Board member position during any particular election.
- (b) Nomination shall be by petition, on the Nomination Petition form(s) provided by CalPERS and signed by the nominee. The Nomination Petition form shall include all information required by this section as provided in the Notice of Election or any Amended Notice of Election. The petition shall identify clearly the specific Board member position for which the nominee seeks election. The petition shall also set forth information required to validate the nominee's eligibility, which shall include, the nominee's full name, last four (4) digits of the nominee's Social Security number, and employer or employer at retirement. The nominee shall provide the following required contact information: address, telephone number, and email address.
- (c) Active or retired members shall be eligible to sign a Nomination Petition if he or she meets the eligibility criteria set forth in the Notice of Election, for the Board member position that is the subject of the election. Eligible active or retired members signing a Nomination Petition shall provide identifying information for the purpose of validating membership with CalPERS, which shall include, the member's or retired member's full name, last four (4) digits of his or her Social Security number, and employer or employer at retirement.
- (d) The minimum number of petition signatures required for candidacy shall be determined by the Board at a noticed public meeting and specified in the Notice of Election. In setting the minimum number of petition signatures, the Board shall ensure candidates have a minimum level of support, while not making the number of petition signatures so high that active members and retirees are denied reasonable access to candidacy. In no event shall less than 250 valid original signatures be required. Only those petitions received in the Sacramento office of CalPERS by the date and time specified in the Notice of Election shall be accepted.
- (e) Each nominee shall certify, on the Nomination Acceptance/Ballot Designation form provided by CalPERS, that he or she accepts the nomination, consents to serve if elected and agrees to abide by a drawing of lots by the Secretary of State in case of a tied vote. Those nominees that choose a title or other designation to be added to their name on the ballot shall include the proposed title or designation on the Nomination

Acceptance/Ballot Designation form. That form shall be returned to the Election Coordinator by the date and time specified in the Notice of Election.

- (f) The Nomination Acceptance/Ballot Designation Form shall contain:
- (1) Ballot Designation, if the candidate so desires, chosen in accordance with the criteria set forth in section 554.4 of this article;
 - (2) A date for submission pursuant to section 554.3, subdivision (b) of this article;
 - (3) A certification from the nominee that they accept the nomination pursuant to section 554.5, subdivision (f); and
 - (4) Job classification or job classification at retirement.
- (g) Where original signatures are required to establish the minimum number of petition signatures required for candidacy in Sections 554.3, subdivision (b)(6) and 554.5, subdivision (d) of this article, CalPERS shall also accept non-original signatures to establish eligibility for nomination. For the purposes of this subdivision, "non-original signature" means an original signature on a nomination petition form that has been reproduced or scanned into an electronic format for electronic transmission including by email or facsimile. This subdivision shall be effective only for the 2021 Member-at-Large election defined in Government Code section 20090, subdivision (g)(1).

NOTE: Authority cited: Section 20121, Government Code. Reference: Section 20096, Government Code.