

11-21-2007

# RECOGNITION OF ANIMALS AS PROPERTY. CONSTITUTIONAL AMENDMENT.

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## Recommended Citation

RECOGNITION OF ANIMALS AS PROPERTY. CONSTITUTIONAL AMENDMENT. California Initiative 1294 (2007).  
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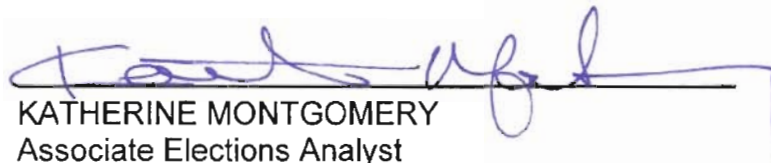
**DEBRA BOWEN** | SECRETARY OF STATE  
STATE OF CALIFORNIA | ELECTIONS

1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | www.sos.ca.gov

May 2, 2008

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND  
PROPOSERS (08161)

FROM:

  
KATHERINE MONTGOMERY  
Associate Elections Analyst

SUBJECT: FAILURE OF INITIATIVE #1294

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named initiative constitutional amendment filed with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has **failed**.

TITLE: RECOGNITION OF ANIMALS AS PROPERTY.  
CONSTITUTIONAL AMENDMENT.

SUMMARY DATE: 11/21/07

PROPOSER: Jill Holt



**DEBRA BOWEN** | SECRETARY OF STATE  
STATE OF CALIFORNIA | ELECTIONS

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November 21, 2007

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS/PROPONENT  
(07231)

FROM:

  
KATHERINE MONTGOMERY  
Elections Analyst

SUBJECT: **INITIATIVE #1294**

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**RECOGNITION OF ANIMALS AS PROPERTY.  
CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Jill Holt  
P.O. Box 390120  
Anza, CA 92539

(951) 541-1669

RECOGNITION OF ANIMALS AS PROPERTY.  
CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

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1. Minimum number of signatures required: ..... 694,354  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: ..... Wednesday, 11/21/07
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elec. Code § 336)..... Wednesday, 11/21/07
  - b. Last day Proponent can circulate and file with the county.  
All sections are to be filed at the same time within each  
county. (Elec. Codes §§ 336, 9030(a))..... Monday, 04/21/08\*
  - c. Last day for county to determine total number of  
signatures affixed to petitions and to transmit total  
to the Secretary of State (Elec. Code § 9030(b)).....Thursday, 05/01/08  

(If the Proponent files the petition with the county on a date prior to  
04/21/08, the county has eight working days from the filing of the petition  
to determine the total number of signatures affixed to the petition and to  
transmit the total to the Secretary of State) (Elec. Code § 9030(b)).
  - d. Secretary of State determines whether the total number  
of signatures filed with all county clerks/registrars of  
voters meets the minimum number of required signatures  
and notifies the counties .....Saturday, 05/10/08\*\*
  - e. Last day for county to determine total number of qualified  
voters who signed the petition, and to transmit certificate  
with a blank copy of the petition to the Secretary of State  
(Elec. Code § 9030(d)(e)) .....Monday, 06/23/08

\* Date adjusted for official deadline, which falls on a weekend (Elec. Code § 15).

\*\*Date varies based on the date of county receipt.

**INITIATIVE #1294**

**Circulating and Filing Schedule continued:**

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(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 05/10/08, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elec. Code § 9030(d)(e)).

- f. If the signature count is more than 763,790 or less than 659,637 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 659,637 and 763,790 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures (Elec. Code §§ 9030(f)(g), 9031(a))..... Thursday, 07/03/08\*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (Elec. Code § 9031(b)(c))..... Friday, 08/15/08

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 07/03/08, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elec. Code § 9031(b)(c).)

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (Elec. Code §§ 9031(d), 9033) ..... Tuesday, 08/19/08\*

\*Date varies based on the date of county receipt.

## IMPORTANT POINTS

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- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal.App.3d 825, 177 Cal.Rptr. 621; 63 Ops.Cal.Atty.Gen. 37 (1980).
- Please refer to Elections Code sections 100, 101, 104, 9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

EDMUND G. BROWN JR.  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550


Public: (916) 445-9555  
Telephone: (916) 445-4752  
Facsimile: (916) 324-8835  
E-Mail: Krystal.Paris@doj.ca.gov

November 21, 2007

**FILED**  
In the office of the Secretary of State  
of the State of California

Debra Bowen  
Secretary of State  
1500 - 11<sup>th</sup> Street, 5<sup>th</sup> Floor  
Sacramento, CA 95814

NOV 21 2007

Debra Bowen, Secretary of State  
By   
Deputy Secretary of State

RE: Title and Summary for Initiative No. 07-0062  
TITLE: RECOGNITION OF ANIMALS AS PROPERTY. CONSTITUTIONAL  
AMENDMENT.

Dear Ms. Bowen:

Pursuant to the provisions in sections 336 and 9004 of the Elections Code, enclosed please find a copy of the Title and Summary issued for Initiative Number 07-0062, along with the text of the proposed measure.

Please feel free to contact me with any questions.

Sincerely,

  
KRYSTAL PARIS  
Initiative Coordinator

For EDMUND G. BROWN JR.  
Attorney General

Enclosures

**Proponent(s) public information:**

Jill Holt  
P.O. Box 390120  
Anza, CA 92539

Date: November 21, 2007  
Initiative No. 07-0062

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

RECOGNITION OF ANIMALS AS PROPERTY. CONSTITUTIONAL AMENDMENT.

Amends California Constitution to declare that all animals owned by citizens, including pets and animals used for agricultural purposes, are property. Prohibits enactment or enforcement of any law that would characterize privately-owned animals as anything other than property. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Probably no fiscal effect on state and local governments.

(Initiative 07-0062.)



September 28, 2007

**RECEIVED**

OCT - 1 2007

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

**Mrs. Patricia Galvan**

**Initiative Coordinator**

**Office of the Attorney General**

**1300 I Street**

**Sacramento, CA 95814**

**Dear Ms. Galvan:**

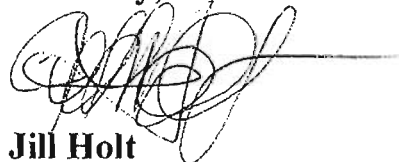
**Pursuant to California Elections Code, Section 9002, I respectfully request the Attorney General to prepare a title and summary of the chief purpose and points of the Animal Property Act.**

**Please find enclosed required by the California Elections Code, Section 18650, check in the amount of TWO HUNDRED DOLLARS (\$200.00) for filing fee of above referenced act and the proponent declaration as required by California Elections Code, Section Code 9068.**

**Please direct any correspondence and questions directly to the address below.**

**Thank you for your attention to this matter.**

**Sincerely,**



**Jill Holt**

**PO Box 390120**

**Anza, CA 92539**

**951-541-1669**

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

[Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the Petition whereon signatures are to appear.]

**TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA**

We, the undersigned, registered, qualified voters of California, residents of \_\_\_\_\_ County, hereby propose amendment relating to protection against mandated sterilization, and Petition the Secretary of State to submit the same to voters of California for their adoption or rejection at the next succeeding primary or general election, or at any special statewide election held prior to that primary or general election, or as otherwise provided by law.

The proposed Constitutional Amendment,  
Animal Property Act:

**CALIFORNIA CONSTITUTION - ARTICLE 1  
DECLARATION OF RIGHTS**

THE STATE OF CALIFORNIA, COUNTIES, CITIES AND ALL GOVERNMENTAL ENTITIES WITHIN THE STATE SHALL RECOGNIZE PET ANIMALS, ANIMALS USED FOR AGRICULTURAL PURPOSES AS WELL AS OTHER ANIMALS OWNED BY CITIZENS AS PROPERTY AND SHALL NOT ENFORCE OR ENACT ANY LAW OR ORDINANCE LANGUAGE THAT ABRIDGES THIS MANDATE ENACTED BY THE CITIZENS OF THE STATE OF CALIFORNIA.

**This Amendment shall become effective immediately upon its approval by voters.**