

### 0890 Secretary of State

The Secretary of State, a constitutionally established office, is the chief elections officer of the state and is responsible for the administration and enforcement of election laws. The Office is also responsible for administering and enforcing laws pertaining to filing documents associated with corporations, limited liability companies, partnerships, limited partnerships, unincorporated associations and pertaining to filing bonds and perfecting security agreements. In addition, the Office is responsible for commissioning notaries public, enforcing the notary laws, and in conjunction with being the home of the State Archives, preserving documents and records having historical significance. The Secretary of State is the filing officer for lobbying and campaign registration and disclosure documents filed under the Political Reform Act. The Secretary of State also operates the Safe At Home program, maintains the Domestic Partners and Advanced Health Care Directives Registries, provides support functions for the Citizens Redistricting Commission and Voter Modernization Board, and is home to the California Museum for History, Women and the Arts.

Policy associated with the administration of the Office is accomplished through the divisions of Elections, Political Reform, Business Programs, Archives, Information Technology and Management Services.

#### 3-YR EXPENDITURES AND PERSONNEL YEARS

	Personnel Years			Expenditures		
	2009-10	2010-11	2011-12	2009-10*	2010-11*	2011-12*
10 Filings and Registrations	258.2	260.9	256.7	\$43,246	\$46,870	\$49,802
20 Elections	59.2	59.8	59.2	23,655	114,867	100,851
30 Archives	25.4	26.5	26.0	10,399	10,706	10,865
50.01 Administration and Technology	111.8	99.8	99.6	15,132	23,158	23,830
50.02 Distributed Administration and Technology	-	-	-	-15,132	-23,158	-23,830
<b>TOTALS, POSITIONS AND EXPENDITURES (All Programs)</b>	<b>454.6</b>	<b>447.0</b>	<b>441.5</b>	<b>\$77,300</b>	<b>\$172,443</b>	<b>\$161,518</b>
<b>FUNDING</b>				<b>2009-10*</b>	<b>2010-11*</b>	<b>2011-12*</b>
0001 General Fund				\$20,372	\$99,429	\$31,120
0228 Secretary of State's Business Fees Fund				36,165	37,307	39,056
0890 Federal Trust Fund				6,783	27,177	81,673
0995 Reimbursements				13,934	6,969	7,170
3042 Victims of Corporate Fraud Compensation Fund				46	1,561	2,499
<b>TOTALS, EXPENDITURES, ALL FUNDS</b>				<b>\$77,300</b>	<b>\$172,443</b>	<b>\$161,518</b>

#### LEGAL CITATIONS AND AUTHORITY

##### DEPARTMENT AUTHORITY

The California Constitution, Article 5, Section 11, Government Code Sections 12159-12179.1.

##### PROGRAM AUTHORITY

###### 10-Filings and Registrations:

Corporations Code, Titles 1-3; Government Code, Sections 1363, 6503.5, 6503.7, 6518, 7220, 7222, 7223, 7225, 7226, 7227, 7229, 8200, 8201, 8201.1, 8201.2, 8201.5, 8202.5, 8203.1-8203.4, 8204.1, 8205, 8206, 8207, 8207.1, 8207.2, 8207.3, 8213, 8213.6, 8214.1, 8214.15, 8214.4, 8214.5, 8214.8, 8219.5, 8220, 8222, 8228, 12160, 12163, 12168, 12168.5, 12168.7, 12176, 12177, 12178.1, 12179.1, 12180, 12182, 12182.1, 12183-12197, 23712-23714, 34459-34461, and 53051; Business and Professions Code, Sections 14230, 14233, 14240, 14241, 14427, 14461, 14482, 14483, 14492, 17550 et seq., 18896 et seq., 22370 et seq., 22443.1, 22908-22912, 22914, 22916, 22917, 22920, 22921, and 22923; Civil Code, Sections 912, 1363.6, 1789.10 et seq., 1812.50 et seq., 1812.80 et seq., 1812.100 et seq., 1812.503., 1812.510, 1812.515, 1812.525, 1812.600, and 3344.1; Commercial Code, Sections 9501, 9509, 9512-9516, 9518, 9519-9523, and 9525-9528; Code of Civil Procedure, Sections 488.375, 697.550, 697.570, 697.580, 697.640-697.670, 2101, and 2103-2105; Family Code, Section 297; Food and Agriculture Code, Sections 55702, 57405, 57408-57411, 57414, 57512, 57516-57517, 57519, 57530, 57531, and 57561 et seq.; Probate Code, Section 4800; Vehicle Code, Section 40305.5; California Code of Regulations, Title 2, Sections 20800 et seq., 21900 et seq., 22100 et seq., 22500 et seq., 22600 et seq., and 22610.1 et seq.; Government Code, Title 1, Division 7, Chapter 3.1; Family Code, Division 10, Part 1; and Penal Code, Title 15, Chapter 2.

###### 20-Elections:

California Constitution, Article XVI, Section 1; California Elections Code, Section 10; California Government Code, Section 12172.5; Help America Vote Act of 2002 (Public Law 107-252) and other federal elections law; Government Code, Title 9.

###### 30-Archives:

Chapter 1, Statutes of 1850; Government Code, Sections 6204, 6268, 9080, 9149.9, 11347.3, 12153, 12174, 12220-12237, 14755-14756, and 14765-14768; Civil Code, Sections 1798.24, and 1798.64; Evidence Code, Section 1605, and Military and Veterans Code, Section 1360.

\* Dollars in thousands, except in Salary Range.

## 0890 Secretary of State - Continued

## DETAILED BUDGET ADJUSTMENTS

	2010-11*			2011-12*		
	General Fund	Other Funds	Personnel Years	General Fund	Other Funds	Personnel Years
<b>Workload Budget Adjustments</b>						
<b>Workload Budget Change Proposals</b>						
• HAVA VoteCal	\$-	\$-	-	\$-	\$11,635	-
• HAVA Amended Spending Plan	-	-	-	-	70,038	-
<b>Totals, Workload Budget Change Proposals</b>	<b>\$-</b>	<b>\$-</b>	<b>-</b>	<b>\$-</b>	<b>\$81,673</b>	<b>-</b>
<b>Other Workload Budget Adjustments</b>						
• Employee Compensation Adjustments	-\$624	-\$1,552	-	-\$85	-\$174	-
• Retirement Rate Adjustment	200	487	-	200	470	-
• One Time Cost Reductions	-	-	-	-68,228	-26,269	-
• Miscellaneous Adjustments	1,467	539	-	764	1,158	-
<b>Totals, Other Workload Budget Adjustments</b>	<b>\$1,043</b>	<b>-\$526</b>	<b>-</b>	<b>-\$67,349</b>	<b>-\$24,815</b>	<b>-</b>
<b>Totals, Workload Budget Adjustments</b>	<b>\$1,043</b>	<b>-\$526</b>	<b>-</b>	<b>-\$67,349</b>	<b>\$56,858</b>	<b>-</b>
<b>Policy Adjustments</b>						
• Billable Legal Services Conversion	\$-	\$-	-	\$83	\$-	-
<b>Totals, Policy Adjustments</b>	<b>\$-</b>	<b>\$-</b>	<b>-</b>	<b>\$83</b>	<b>\$-</b>	<b>-</b>
<b>Totals, Budget Adjustments</b>	<b>\$1,043</b>	<b>-\$526</b>	<b>-</b>	<b>-\$67,266</b>	<b>\$56,858</b>	<b>-</b>

## PROGRAM DESCRIPTIONS

## 10 - FILINGS AND REGISTRATIONS

The Business Programs Division is the first stop for anyone wanting to do business in California. The California Business Portal provides online resources and services to businesses, connecting people with electronic versions of important documents and handbooks, searchable lists of registered businesses, a step-by-step guide to starting a business, and assistance for international businesses wanting to operate in California.

The Business Entities Section files articles of incorporation, foreign qualifications, and other related documents to ensure that corporations and other business entities are properly formed, merged, amended, and dissolved in compliance with California law.

The Uniform Commercial Code Section provides for the filing of documents that allow lending institutions to perfect a security interest in named collateral and to establish a priority scheme for property repossession in case of debtor default or bankruptcy.

The Notary Public and Special Filings Section appoints and commissions eligible notaries public. A notary public is a public official who performs services to the legal, business, financial and real estate communities by certifying or witnessing signatures on official documents. Special Filings include trademarks and service marks as well as bonds that certain business entities are required to file, joint power agreements, city and county charters, and claims for successor-in-interest. This Section also has disciplinary functions with regard to notaries public and immigration consultants.

The Safe at Home Program provides address protection, name change confidentiality, and confidential voter registration for survivors of domestic violence and stalking and their family members, and providers, employees, volunteers, and patients of reproductive health care facilities.

The Advance Health Care Directive (AHCD) Registry maintains AHCDs, which allow a person to indicate to their medical treatment preferences if they cannot speak or make decisions for themselves. The AHCD also may designate someone else to make decisions regarding medical treatment. AHCDs and related information can be provided upon request to the registrant's health care provider, public guardian or legal representative.

The Domestic Partners Registry registers same-sex couples regardless of the age of the partners, and opposite-sex couples in which one partner is at least 62 years old, as domestic partners in California when they file a Declaration of Domestic Partnership.

The Victims of Corporate Fraud Compensation Fund provides restitution to victims of corporate fraud who are unable to collect through other means on a judgment against a corporation for corporate fraud.

## 20 - ELECTIONS

\* Dollars in thousands, except in Salary Range.

## 0890 Secretary of State - Continued

The Secretary of State, as California's chief elections officer, has broad responsibility to administer the election process. This program oversees the modernization of voting equipment and the improvement of current electoral database systems, enhancing the voting processes, providing accessibility to voters, working to increase people's knowledge of the electoral system, and establishing a procedure to allow voters to file and have complaints resolved about voting-related issues.

This program includes the campaign and lobbying registration and disclosure provisions of the Political Reform Act of 1974. Under this law, the Office registers all levels of campaign committees, and reviews for compliance with statutory requirements all state-level campaign recipient, major donor, slate mailer, political party, and independent expenditure committees. The program also registers lobbyists, lobbying firms and lobbyist employers, reviews the periodic financial disclosure reports filed by lobbying entities, and publishes a Lobbying Directory both on paper and on the Internet. This program also supports the electronic filing requirements of the Political Reform Act and posts relevant registration and disclosure information to the Office's web site so voters can track where campaign money is raised and spent and what lobbying activity is occurring in state government. A searchable database of campaign and lobbying financial activity is also provided through the web site.

### 30 - ARCHIVES

The California State Archives acquires, indexes, preserves, and provides reference access to irreplaceable historic materials from the three branches of state government. The Archives acquires records that are legally required to be placed there, that possess legal, administrative or evidentiary value, or that have long-term historical significance. Materials of durable value are transferred to the Archives for long-term preservation.

### 50 - ADMINISTRATION AND TECHNOLOGY

This program develops and manages overall policy. It serves as the liaison to other state agencies, the Legislature, the federal government, and other states' Secretaries of State. This program responds to constituent correspondence and requests from the public and advocates in the Legislature, administers the Secretary's role as ex officio member of the World Trade Commission and as a member of the National Association of Secretaries of State, in the management of task forces and advisory committees, in the implementation of new federal and state statutory requirements, and coordinates and disseminates information about the Office and its initiatives to the public. It also provides the Office with the necessary personnel, general administrative, budgeting, fiscal services, and information technology expertise to plan, develop, implement, and operate innovative and effective business and information systems solutions.

### DETAILED EXPENDITURES BY PROGRAM

		2009-10*	2010-11*	2011-12*
<b>PROGRAM REQUIREMENTS</b>				
<b>10</b>	<b>FILINGS AND REGISTRATIONS</b>			
	<b>State Operations:</b>			
0001	General Fund	\$280	\$1,041	\$1,077
0228	Secretary of State's Business Fees Fund	36,165	37,307	39,056
0995	Reimbursements	6,755	6,961	7,170
3042	Victims of Corporate Fraud Compensation Fund	46	1,561	2,499
	<b>Totals, State Operations</b>	<b>\$43,246</b>	<b>\$46,870</b>	<b>\$49,802</b>
<b>PROGRAM REQUIREMENTS</b>				
<b>20</b>	<b>ELECTIONS</b>			
	<b>State Operations:</b>			
0001	General Fund	\$9,693	\$19,454	\$19,178
0890	Federal Trust Fund	5,271	24,317	14,681
0995	Reimbursements	7,179	8	-
	<b>Totals, State Operations</b>	<b>\$22,143</b>	<b>\$43,779</b>	<b>\$33,859</b>
	<b>Local Assistance:</b>			
0001	General Fund	\$-	\$68,228	\$-
0890	Federal Trust Fund	1,512	2,860	66,992
	<b>Totals, Local Assistance</b>	<b>\$1,512</b>	<b>\$71,088</b>	<b>\$66,992</b>
<b>PROGRAM REQUIREMENTS</b>				
<b>30</b>	<b>ARCHIVES</b>			
	<b>State Operations:</b>			
0001	General Fund	\$10,399	\$10,706	\$10,865
	<b>Totals, State Operations</b>	<b>\$10,399</b>	<b>\$10,706</b>	<b>\$10,865</b>
<b>TOTALS, EXPENDITURES</b>				

\* Dollars in thousands, except in Salary Range.

## 0890 Secretary of State - Continued

	2009-10*	2010-11*	2011-12*
State Operations	75,788	101,355	94,526
Local Assistance	1,512	71,088	66,992
<b>Totals, Expenditures</b>	<b>\$77,300</b>	<b>\$172,443</b>	<b>\$161,518</b>

## EXPENDITURES BY CATEGORY

1 State Operations	Positions/Personnel Years			Expenditures		
	2009-10	2010-11	2011-12	2009-10*	2010-11*	2011-12*
PERSONAL SERVICES						
Authorized Positions (Equals Sch. 7A)	454.6	505.0	505.0	\$24,037	\$26,269	\$26,749
Total Adjustments	-	-	-	288	-2,580	-1,413
Estimated Salary Savings	-	-58.0	-63.5	-	-2,977	-4,153
<b>Net Totals, Salaries and Wages</b>	<b>454.6</b>	<b>447.0</b>	<b>441.5</b>	<b>\$24,325</b>	<b>\$20,712</b>	<b>\$21,183</b>
Staff Benefits	-	-	-	9,770	9,497	9,727
<b>Totals, Personal Services</b>	<b>454.6</b>	<b>447.0</b>	<b>441.5</b>	<b>\$34,095</b>	<b>\$30,209</b>	<b>\$30,910</b>
OPERATING EXPENSES AND EQUIPMENT				\$34,093	\$62,137	\$54,607
SPECIAL ITEMS OF EXPENSE						
Parallel Monitoring				\$-	\$95	\$95
Printing ballot pamphlets				3,648	3,137	3,137
Mailing ballot pamphlets				1,560	2,813	2,813
Printing registration cards				888	1,664	1,664
Mailing registration cards				1,396	1,095	1,095
Election night reporting				108	205	205
<b>Totals, Special Items of Expense</b>				<b>\$7,600</b>	<b>\$9,009</b>	<b>\$9,009</b>
<b>TOTALS, POSITIONS AND EXPENDITURES, ALL FUNDS (State Operations)</b>				<b>\$75,788</b>	<b>\$101,355</b>	<b>\$94,526</b>

## 2 Local Assistance

	Expenditures		
	2009-10*	2010-11*	2011-12*
May 19, 2009 Statewide Special Election	\$-	\$68,228	\$-
P.L. 107-252 - Help America Vote Act of 2002	1,512	2,860	66,992
<b>TOTALS, EXPENDITURES, ALL FUNDS (Local Assistance)</b>	<b>\$1,512</b>	<b>\$71,088</b>	<b>\$66,992</b>

## DETAIL OF APPROPRIATIONS AND ADJUSTMENTS

1 STATE OPERATIONS	2009-10*	2010-11*	2011-12*
0001 General Fund			
APPROPRIATIONS			
001 Budget Act appropriation	\$30,699	\$30,158	\$31,037
Allocation for employee compensation	-	49	-
Adjustment per Section 3.60	19	200	-
Adjustment per Section 4.04	-560	-	-
Adjustment per Section 4.30	225	764	-
Reduction per Control Section 3.91	-	-673	-
Adjustment per Section 3.55	-9	-	-
Transfer from Item 8640-001-0001 (Political Reform Act)	703	703	-
005 Budget Act appropriation	-	-	83
<b>Totals Available</b>	<b>\$31,077</b>	<b>\$31,201</b>	<b>\$31,120</b>

\* Dollars in thousands, except in Salary Range.

## 0890 Secretary of State - Continued

1 STATE OPERATIONS	2009-10*	2010-11*	2011-12*
Unexpended balance, estimated savings	-10,705	-	-
<b>TOTALS, EXPENDITURES</b>	<b>\$20,372</b>	<b>\$31,201</b>	<b>\$31,120</b>
<b>0228 Secretary of State's Business Fees Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation	\$37,126	\$37,720	\$39,056
Allocation for employee compensation	-	119	-
Adjustment per Section 3.60	39	395	-
Reduction per Section 3.90	-1,071	-	-
Adjustment per Section 4.30	132	446	-
Reduction per Control Section 3.91	-	-1,373	-
Adjustment per Section 3.55	-20	-	-
<b>Totals Available</b>	<b>\$36,206</b>	<b>\$37,307</b>	<b>\$39,056</b>
Unexpended balance, estimated savings	-41	-	-
<b>TOTALS, EXPENDITURES</b>	<b>\$36,165</b>	<b>\$37,307</b>	<b>\$39,056</b>
<b>0890 Federal Trust Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation	\$5,388	\$24,361	\$14,681
Allocation for employee compensation	-	2	-
Adjustment per Section 3.60	1	17	-
Reduction per Control Section 3.91	-	-63	-
Revised expenditure authority per Provision 4	3,662	-	-
Budget Adjustment	-3,780	-	-
<b>TOTALS, EXPENDITURES</b>	<b>\$5,271</b>	<b>\$24,317</b>	<b>\$14,681</b>
<b>0995 Reimbursements</b>			
APPROPRIATIONS			
Reimbursements	\$13,934	\$6,969	\$7,170
<b>3042 Victims of Corporate Fraud Compensation Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation	\$1,557	\$1,561	\$2,499
011 Budget Act appropriation (Loan to the General Fund)	-	(10,000)	-
<b>Totals Available</b>	<b>\$1,557</b>	<b>\$1,561</b>	<b>\$2,499</b>
Unexpended balance, estimated savings	-1,511	-	-
<b>TOTALS, EXPENDITURES</b>	<b>\$46</b>	<b>\$1,561</b>	<b>\$2,499</b>
<b>TOTALS, EXPENDITURES, ALL FUNDS (State Operations)</b>	<b>\$75,788</b>	<b>\$101,355</b>	<b>\$94,526</b>
<b>2 LOCAL ASSISTANCE</b>			
<b>0001 General Fund</b>			
APPROPRIATIONS			
119 Budget Act appropriation	-	\$68,228	-
<b>TOTALS, EXPENDITURES</b>	<b>\$-</b>	<b>\$68,228</b>	<b>\$-</b>
<b>0890 Federal Trust Fund</b>			
APPROPRIATIONS			
101 Budget Act appropriation	\$1,000	\$2,860	\$66,992
Revised expenditure authority per Provision 1	554	-	-
Budget Adjustment	-42	-	-
<b>TOTALS, EXPENDITURES</b>	<b>\$1,512</b>	<b>\$2,860</b>	<b>\$66,992</b>
<b>TOTALS, EXPENDITURES, ALL FUNDS (Local Assistance)</b>	<b>\$1,512</b>	<b>\$71,088</b>	<b>\$66,992</b>
<b>TOTALS, EXPENDITURES, ALL FUNDS (State Operations and Local Assistance)</b>	<b>\$77,300</b>	<b>\$172,443</b>	<b>\$161,518</b>

\* Dollars in thousands, except in Salary Range.

## 0890 Secretary of State - Continued

## FUND CONDITION STATEMENTS

	2009-10*	2010-11*	2011-12*
<b>0228 Secretary of State's Business Fees Fund <sup>s</sup></b>			
BEGINNING BALANCE	-	-	\$1,000
Prior year adjustments	\$205	-	-
Adjusted Beginning Balance	\$205	-	\$1,000
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
124100 Domestic Corporation Fees	7,330	\$7,640	7,640
124200 Foreign Corporation Fees	797	832	832
124300 Notary Public License Fees	852	852	852
124400 Filing Financing Statements	2,188	2,189	2,189
125600 Other Regulatory Fees	5,553	5,808	5,808
142000 General Fees--Secretary of State	21,976	22,148	22,151
150300 Income From Surplus Money Investments	17	17	17
161400 Miscellaneous Revenue	47	47	47
Transfers and Other Adjustments:			
TO0001 To General Fund per Government Code Section 12176	-2,770	-1,130	-432
Total Revenues, Transfers, and Other Adjustments	\$35,990	\$38,403	\$39,104
Total Resources	\$36,195	\$38,403	\$40,104
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0840 State Controller (State Operations)	30	73	48
0890 Secretary of State (State Operations)	36,165	37,307	39,056
8880 Financial Information System for California (State Operations)	-	23	-
Total Expenditures and Expenditure Adjustments	\$36,195	\$37,403	\$39,104
FUND BALANCE	-	\$1,000	\$1,000
Reserve for economic uncertainties	-	1,000	1,000
<b>3042 Victims of Corporate Fraud Compensation Fund <sup>s</sup></b>			
BEGINNING BALANCE	\$11,618	\$13,094	\$2,976
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
142000 General Fees--Secretary of State	1,443	1,443	1,443
150300 Income From Surplus Money Investments	79	-	-
Transfers and Other Adjustments:			
TO0001 To General Fund Loan per Item 0890-011-3042, Budget Act of 2010	-	-10,000	-
Total Revenues, Transfers, and Other Adjustments	\$1,522	-\$8,557	\$1,443
Total Resources	\$13,140	\$4,537	\$4,419
EXPENDITURES AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
0890 Secretary of State (State Operations)	46	1,561	2,499
Total Expenditures and Expenditure Adjustments	\$46	\$1,561	\$2,499
FUND BALANCE	\$13,094	\$2,976	\$1,920
Reserve for economic uncertainties	13,094	2,976	1,920

## CHANGES IN AUTHORIZED POSITIONS

	Positions/Personnel Years			Expenditures		
	2009-10	2010-11	2011-12	2009-10*	2010-11*	2011-12*
Totals, Authorized Positions	454.6	505.0	505.0	\$24,037	\$26,269	\$26,749
Adjustments	-	-	-	288	-1,034	-1,413

\* Dollars in thousands, except in Salary Range.

**0890 Secretary of State - Continued**

	<u>Positions/Personnel Years</u>			<u>Expenditures</u>		
	2009-10	2010-11	2011-12	2009-10*	2010-11*	2011-12*
Furlough/PLP Adjustments	-	-	-	-	-1,546	-
<b>Total Adjustments</b>	-	-	-	<b>\$288</b>	<b>-\$2,580</b>	<b>-\$1,413</b>
<b>TOTALS, SALARIES AND WAGES</b>	<b>454.6</b>	<b>505.0</b>	<b>505.0</b>	<b>\$24,325</b>	<b>\$23,689</b>	<b>\$25,336</b>

---

\* Dollars in thousands, except in Salary Range.