

**SEC. 401. CANDIDATES' NAMES APPEARING IN CHINESE CHARACTERS.**

(a) The names of candidates for local, state and federal office shall appear on all official ballots, including polling place ballots and absentee ballots, and all sample ballots in Chinese characters as well as in English or any other languages required by law or selected by the Director of Elections.

(b) For purposes of this Section:

(1) "Translation" shall mean the selection of Chinese characters to represent the parts of a Chinese name, or a name in any other language that traditionally is written using Chinese characters.

(2) "Transliteration" shall mean the selection of Chinese characters to represent the phonetic equivalent of the syllables of an English name, or a name in any other language that is not traditionally written using Chinese characters.

(b) If a candidate has a character-based name by birth, that can be verified by birth certificate or other valid identification, the candidate may use that name on the ballot instead of a phonetic transliteration. A candidate who does not have a Chinese-character-based name by birth, but who identifies by a particular character-based name and can demonstrate to the local elections official that the candidate has been known and identified within the public sphere by that name over the past two years, may use that name instead of a phonetic transliteration.

(1) Candidates who were given a Chinese-character based name at birth and cannot demonstrate their being known and identified by that name over the past two years may submit a declaration signed by a family member under the penalty of perjury that affirms the candidates being given a Chinese-character based name at birth.

(2) Candidates who were given a Chinese-character based name at birth and cannot demonstrate their being known and identified by that name over the past two years, and who cannot obtain the declaration from a family member in subsection (1) may sign and submit a declaration under the penalty of perjury affirming their receiving a Chinese-character based name at birth and are unable to obtain provide a declaration from a family member.

(c) The Director of Elections shall cause a translation or transliteration of the names of all candidates to be prepared by a qualified Chinese-language interpreter according to generally-accepted professional standards. A candidate may submit documentary evidence demonstrating established use of a particular translation or transliteration of his or her name to assist the interpreter, but the Director of Elections' decision to accept the translation or transliteration of a candidate's name submitted by the Department's interpreter shall be final. Translated or transliterated names accepted by the Director shall be available for public review for ten days, and the Director's decision may be challenged pursuant to California Elections Code Section 13313.