

Governor Newsom Recall Effort - Frequently Asked Question 2021 Recall FAQs

The California Secretary of State is responsible for overseeing recalls for state officers, including for constitutional offices (Governor, Lieutenant Governor, Attorney General, etc.), state legislators, and justices of the Supreme and Appellate Courts. Local recalls are overseen by county or city elections officials.

The recall process is outlined in the California Constitution (Article II, Sections 13-19) and the California Elections Code (Sections 11000-11110, 11300-11386).

What's Next for the Governor Newsom Recall Effort?

On April 26, 2021, California Secretary of State Dr. Shirley N. Weber announced that the threshold of 1,495,709 [verified signatures](#) reported by counties has been met for the recall of Governor Gavin Newsom. However, county elections officials must continue to verify the validity of any remaining signatures and must report the final signature verification on April 29, 2021.

The next phase of the recall process is the 30-business day period in which voters may request county elections officials to remove their names from recall petitions. County elections officials must report any withdrawn signatures to the Secretary of State within ten business days of the end of the signature withdrawal period. The Secretary of State must then determine if the petition still has the requisite number of valid signatures to initiate a recall election.

If it is determined that there is not the requisite number of valid signatures, the recall effort would fail. However, if it is determined that there is still the requisite number of valid signatures to initiate a recall election, the Secretary of State must promptly notify the Department of Finance of the results. (Elec. Code, § 11108(c) and (d))

Within 30 business days of this notification, the Department of Finance consults with county elections officials and the Secretary of State to estimate the costs of the recall election and submits this estimate to the Chairperson of the Joint Legislative Budget Committee (JLBC), Governor, and the Secretary of State. (Elec. Code, § 11108(d))

The JLBC then has 30 days to review and comment on the estimate provided to them by the Department of Finance. (Elec. Code, § 11108(e))

After the JLBC's 30-day review and comment period, the Secretary of State will certify that the proponents have submitted enough valid signatures to qualify the recall for the ballot. (Elec. Code, §§ 11108(e) and 11109)

The Lieutenant Governor is then required to call a recall election to be held not less than 60 days nor more than 80 days from the date of certification of sufficient signatures. (Cal. Const., art. II, §§ 15 and 17)

How can a voter withdraw their signature from the Governor Gavin Newsom recall petition?

Any voter who has signed the recall petition may provide a written request to their county elections official to have their signature removed from the petition within 30 business days. Voters seeking to withdraw their signature from the recall petition should submit the withdrawal request to the county elections official where the voter lived at the time they signed the petition.

Written signature withdrawal requests must be received by the appropriate county elections official between April 26, 2021, and June 8, 2021. (Elec. Code, § 11108(b)) County elections officials must report the total number of withdrawn signatures to the Secretary of State by June 22, 2021.

No specific format is required; however, the withdrawal must include the following:

- Voter's name
- Residence address (at time of signing the recall petition)
- Voter's signature

What is a recall?

The recall has been part of California's political system since 1911. It provides a mechanism for the public to attempt to remove elected public officials from office before the end of their term of office. Before a recall election can be initiated, a certain number of voters must sign a recall petition within a specified amount of time.

Who are the proponents of the current recall effort?

By law, the proponents are those persons who signed the original Notice of Intention to Recall Governor Gavin Newsom that was filed with the Secretary of State's Office. The lead proponent of this current effort to recall Governor Newsom is Orrin E. Heatlie. Including Mr. Heatlie, there are 125 official proponents of the current recall effort against the Governor. (Elec. Code, §§ 343, 11020)

When did the current recall effort begin?

The proponents' petition to recall Governor Newsom was approved for circulation by the Secretary of State on June 10, 2020. (Elec. Code, § 11042(d))

Each petition section is required to include specific information, including the proponents' notice of intention with the statement of grounds for initiating the recall, as well as the Governor's answer. (Elec. Code, §11041) [Notice of Intent \(PDF\)](#) and [Answer \(PDF\)](#).

How much time do recall proponents have to gather signatures?

In general, recall proponents have 160 days to circulate the approved petition in at least five counties, (Cal. Const., art. II, § 14(a))

For the current effort to recall Governor Newsom, the original deadline for the proponents to circulate and file petitions with county elections officials was November 17, 2020. However, an extension of time for the circulation and filing of the petitions up to and including March 17, 2021, was granted by the Sacramento County Superior Court, due to the impact of COVID-19. – [Stipulated Order 1/8/2021 \(PDF\)](#)

How many signatures are required?

To qualify the recall of the Governor for the ballot, proponents need a minimum of 1,495,709 valid petition signatures. This is equal to 12 percent of the votes cast for the office of Governor in 2018, which is the last time the office was on the ballot. Signatures from each of 5 counties must equal in number to 1 percent of the last vote for Governor in the county. (Cal. Const., art. II, § 14(b)) The total number of votes cast for Governor in that election was 12,464,235.

Who may sign the recall petition?

Only the signatures of registered California voters are counted to qualify the recall for the ballot. (Elec. Code, §§ 322, 11045)

Are the petitions filed with the Secretary of State?

No, each petition must be filed with the elections official of the county where it was circulated by the proponents or their authorized representatives. (Elec. Code, §§ 11102, 11103)

Who verifies petition signatures?

County elections officials are responsible for counting the recall petition signatures and must verify recall petition signatures once the proponents have submitted for verification at least 10 percent of the total number of required signatures. (Elec. Code, § 11104(d))

Who sets the date of the recall election?

Normally, the Governor must call the election for a qualified statewide recall. However, when the Governor is the officer sought to be recalled, any of the Governor's duties related to the recall are performed by the Lieutenant Governor. (Cal. Const., art. II, § 17). Therefore, the Lieutenant Governor must instead set the date of the recall election for the recall of the Governor. The recall election must be held between 60 and 80 days from the date the Secretary of State certifies that it has qualified. A recall election may be consolidated with the next regularly scheduled statewide election held within 180 days of the certification. (Cal. Const., art. II, § 15)

What is the cost of a recall election?

Once the recall effort has the sufficient number of valid signatures to qualify for the ballot, within 30 business days the Department of Finance must estimate the costs of the recall election, including expenses for verifying signatures, printing ballots and voter information guides, and operating polling places. (Elec. Code, § 11108(d)) The Department of Finance's estimate of recall costs must then be provided to the Joint Legislative Budget Committee which has 30 calendar days to review and comment. (Elec. Code, § 11108(e))

The Secretary of State must post the estimated costs on its website. (Elec. Code, § 11108(f))

What would a recall ballot look like?

The recall ballot would have two parts. In the first part, voters would have the option to vote "yes" or "no" to the question of whether to remove the Governor from office. In the second part, the voter would have an opportunity to select a replacement candidate, and those votes for a successor candidate would only be counted if more than 50% of voters casting ballots in the recall election vote to recall the Governor. (Cal. Const., art. II, § 15(c); Elec. Code, §§ 11320, 11322)

Who can vote in a Governor recall election?

Any California registered voter may vote in a Governor recall election.

Who can run as a replacement candidate?

A replacement candidate must meet existing legal qualifications and requirements to run for the office of Governor. A candidate must be a U.S. citizen; a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued; not have been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes; and not have served two terms in the office since November 6, 1990. (Cal. Const., art. V, §§ 2, 9, and 11; Elec. Code, §§ 20 and 201)

Can the target of the recall effort run as a successor candidate?

No. A person subject to a recall election cannot be a candidate to succeed themselves at a recall election. (Elec. Code, § 11381(c))

What is the deadline for filing as a replacement candidate in the Governor's recall?

The deadline to file as a replacement candidate is contingent upon the election date included in a recall election proclamation issued by the Lieutenant Governor.

Has a California Governor ever been recalled?

Since the people added the power of the initiative, referendum, and recall to the California Constitution in 1911, there have been 54 previous attempts to recall California Governors. Only one Governor has been recalled – Gray Davis in 2003.