

The Honorable Mike McGuire
Chair, Senate Governance and Finance Committee
State Capitol, Room 408
Sacramento, CA 95814

Dear Senate Member McGuire:

The San Benito County Board of Supervisors would like to express its support for one of the provisions in Senate Bill 205 – the Local Government Omnibus Act of 2017. The Board's opinion is that the proposed amendment to Government Code §1360 would clarify the requirement of public officers to take an oath of office following election or appointment.

Currently written laws are not specific whether an elected official is required to take the Oath of Office after they have been elected or if the Oath of Office subscribed at the time of filing satisfies the Constitutional Oath requirement. Article XX, Section 3 of the California Constitution requires candidates to take the oath of office at the time they file their candidacy for an elected office (Elections Code §200). Article XX, Section 3 of the California Constitution and Government Code §1360 also require all public officers and government employees to take the oath of office before entering the duties of their office.

The proposed bill would require public officers to take an oath of office following election or appointment. The San Benito County Board of Supervisors sees the proposed amendment to Government Code §1360 as clarification allowing cohesiveness with the counties and rendering the potential for misinterpretation of the law non-existent.

Please do not hesitate to contact Joe Paul Gonzalez, San Benito County Registrar of Voters at (831) 636-4016, should you have any questions regarding our support on this matter. Thank you for your advocacy on this important issue.

Sincerely,

Jaime De La Cruz, Chairman
San Benito County Board of Supervisors

Cc: San Benito County Board of Supervisors
Joe Paul Gonzalez, Registrar of Voters
Angela Curro, Assistant Registrar of Voters