

California Constitution: Article XX, Section 3 - Oath of Office Requirements

I. Oath of Office Content

- This section outlines the mandatory oath (or affirmation) that all California public officers and employees – encompassing legislative, executive, and judicial branches – must take before assuming their duties.
- The oath comprises two key parts:
- A pledge to uphold and defend both the US and California constitutions.
- A disavowal of advocating for, or membership in, any organization promoting the forceful or unlawful overthrow of either the US or California government. This section requires disclosure of past affiliations within the preceding five years and a commitment to refrain from such affiliations during their term of office.

II. Scope of Application

- The requirement explicitly extends to all "public officers and employees" of the State of California.
- This definition includes personnel at all levels of government, including the University of California system, counties, cities, districts, and various authorities.
- The term also covers all departments, divisions, bureaus, boards, commissions, agencies, and instrumentalities within these entities, ensuring a comprehensive application across the state government.

III. Exemptions and Additional Requirements

- The Constitution allows the law to exempt certain "inferior officers and employees" from taking this oath.
- Importantly, Section 3 explicitly forbids any other oaths, declarations, or tests as prerequisites for holding public office or employment in California. This provision aims to prevent the imposition of additional barriers or ideological litmus tests beyond the stipulated oath.