

California Public Official Oath FAQ

What is the oath required for public officials and employees in California?

Before assuming their duties, all members of the California Legislature and public officers and employees, including those in the executive, legislative, and judicial branches, except for certain exempted lower-level officials and employees, must take and subscribe to the following oath or affirmation:

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

"And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

_____ (If no affiliations, write in the words "No Exceptions") _____ and that during such time as I hold the office of _____ (name of office) _____ I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means."

What does the oath require public officials to uphold?

The oath mandates that public officials uphold and defend both the United States and California Constitutions against all threats, both foreign and domestic. It emphasizes loyalty and allegiance to these foundational documents.

What kind of loyalty does the oath demand from public officials?

The oath demands "true faith and allegiance" to both the US and California Constitutions. This implies a commitment beyond mere obedience to the law, encompassing a genuine belief in the principles and values enshrined in these constitutions.

Does the oath restrict association with certain groups?

Yes, the oath explicitly prohibits public officials from advocating for or being members of any organization that promotes the overthrow of the US or California governments through forceful, violent, or unlawful means.

What is the time frame considered for past affiliations in the oath?

The oath inquires about membership in organizations advocating the overthrow of the government within the five years immediately preceding the oath-taking. It requires disclosure of any such affiliations.

What are the implications for future affiliations while holding office?

The oath commits the individual to refrain from joining or supporting any organizations advocating the overthrow of the government throughout their tenure in office. This commitment extends beyond past affiliations to cover future actions.

Who is considered a "public officer and employee" under this oath requirement?

The definition encompasses a broad range of individuals serving the state, including all state employees, including those at the University of California, as well as employees of counties,

cities, districts, and authorities, including various departments, boards, commissions, and agencies within these entities.

Are there any other oaths or tests required for public office in California?

No, the California Constitution explicitly states that no other oaths, declarations, or tests beyond this prescribed oath are required as qualifications for holding any public office or employment in the state.