File No. 120683

Committee Item No. 2
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____ **Date** 7/16/12

Board of Supervisors Meeting **Date** _____

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☐	☐	**Ordinance**
☐	☐	**Legislative Digest**
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☐	☐	**Application**
☐	☐	**Public Correspondence**

OTHER **(Use back side if additional space is needed)**

☐	☐	
☐	☐	
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☐	☐	
☐	☐	

Completed by: Linda Wong **Date** 7/13/12
Completed by: _____ **Date** _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

[Declaration of Policy – Repealing Corporate Personhood]

Motion ordering submitted to the voters a policy declaration that supports limits on political campaign contributions and spending; and opposes artificial corporate rights, and giving corporations the same rights entitled to human beings, at an election to be held on November 6, 2012.

MOVED, That the Board of Supervisors hereby submits the following declaration of policy to the voters of the City and County of San Francisco, at an election to be held on November 6, 2012.

Declaration of the City and County of San Francisco to limit political campaign contributions and spending and opposes giving corporations rights entitled to human beings.

The People of the City and County of San Francisco declare that:

It is the position of the People of the City and County of San Francisco that the United States Constitution and the Bill of Rights are intended to protect the rights of individual human beings ("natural persons"), and corporations are specifically not mentioned in the Constitution as deserving of rights entitled to human beings. Although corporations can and do make important contributions to our society using advantages that the government has wisely granted them, the People of the City and County of San Francisco do not consider them natural persons.

It is also the position of the People of the City and County of San Francisco that the United States 5:4 ruling in *Citizens United v. the Federal Election Commission* (January 21, 2010)

presents a serious threat to democracy by rolling back remaining legal limits on corporate spending in the electoral process; allowing unlimited corporate spending to influence elections, candidate selection, and policy decisions; and potentially unleashing unprecedented amounts of corporate money into our political process. The opinion of the four dissenting justices in the *Citizens United* case noted that corporations have special advantages not enjoyed by natural persons, such as limited liability, perpetual life, and favorable treatment of the accumulation and distribution of assets, which allow them to engage in exorbitant campaign spending. Through this action, federal courts have enabled the rise of a new type of political action committee (super PACs), that are dominating many elections.

It is the position of the People of the City and County of San Francisco that corporations should not receive the same constitutional rights as natural persons because the expenditure of corporate money is not a form of constitutionally-protected speech, and limits on political spending will promote the goals of the First Amendment, by ensuring that all citizens - regardless of wealth - have an opportunity to have their political views heard.

The People of the City and County of San Francisco instruct our Representatives and Senators in Congress to pass a constitutional amendment to limit campaign contributions and spending and end artificial corporate rights, reversing the decision of the *Citizens United* case. The People of the City and County of San Francisco call on other communities and jurisdictions to join this action by passing similar Resolutions.

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

☒ 1. For reference to Committee: Rules Committee
An ordinance, resolution, motion, or charter amendment.

☐ 2. Request for next printed agenda without reference to Committee.

☐ 3. Request for hearing on a subject matter at Committee:

☐ 4. Request for letter beginning "Supervisor inquires"

☐ 5. City Attorney request.

☐ 6. Call File No. from Committee.

☐ 7. Budget Analyst request (attach written motion).

☐ 8. Substitute Legislation File No.

☐ 9. Request for Closed Session (attach written motion).

☐ 10. Board to Sit as A Committee of the Whole.

☐ 11. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.

Sponsor(s):

John Avalos

Subject:

Declaration of Policy – Repealing Corporate Personhood

The text is listed below or attached:

Motion ordering submitted to the voters a policy declaration that supports limits on political campaign contributions and spending; and opposes artificial corporate rights, and giving corporations the same rights entitled to human beings, at an election to be held on November 6, 2012.

Signature of Sponsoring Supervisor:

For Clerk's Use Only: