FILE NO. 120817

LEGISLATIVE DIGEST

[Campaign and Governmental Conduct Code - Requiring Electronic Filing of Campaign Statements]

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by amending section 1.112 to require the electronic filing of campaign statements submitted to the Ethics Commission.

Existing Law

Under section 1.112 of the San Francisco Campaign and Governmental Conduct Code, the Ethics Commission ("Commission") may require campaign committees to file their campaign statements electronically, *in addition to* filing paper copies of those same statements.

The electronic filing requirements apply only to campaign committees that are active primarily in local campaigns and that receive contributions or make expenditures that total $5,000 or more in a calendar year.

Amendments to Current Law

As authorized by recently enacted state law, under the proposed amendments, campaign committees required to submit their campaign statements to the Commission can do so electronically, *without* filing an additional paper copies. The proposal also lowers the threshold for electronic filing to committees that receive contributions or make expenditures that total $1,000 or more in a calendar year.

Consistent with current practice, the proposed amendments also explicitly provide that a committee primarily formed to support or oppose a person seeking membership on a San Francisco county central committee is subject to these electronic filing requirements.

Lastly, the proposal includes uncodified findings addressing the security and usability of the Commission's electronic filing system, as required by state law.

Background Information

Under Assembly Bill 2452 ("AB 2452"), local jurisdictions may adopt an exclusively electronic filing system for campaign statements filed by local committees. Local jurisdictions that wish to use such an electronic filing system must first enact an ordinance that specifically requires electronic filing for local committees and that includes legislative findings stating that the

electronic filing system will operate securely and will not unduly burden filers. The operative date of AB 2452 will be January 1, 2013.

The Board of Supervisors may only amend the Campaign Finance Reform Ordinance ("CFRO"), Chapter 1 of the Campaign and Governmental Conduct Code under certain conditions. Such amendments must fulfill the following requirements:

(1) the amendment must furthers the purposes of the CFRO;
(2) the Ethics Commission must approve the proposed amendments in advance by at least a four-fifths vote of all its members;
(3) the proposed amendments must be available for public review at least 30 days before the amendments are considered by the Board of Supervisors or any committee of the Board of Supervisors; and
(4) the Board of Supervisors must approve the proposed amendments by at least a two-thirds vote of all its members.

The Ethics Commission approved this ordinance by a 4-0 vote at its July 23, 2012 meeting.