

San Francisco Department of Elections

**Supporters and Opponents in Ballot Questions for
Local Measures**

San Francisco Board of Supervisors
Rules Committee Hearing

June 10, 2024



Introduction to Amendment

The purpose of this proposed amendment to Municipal Elections Code Section 510 is to allow the City to opt out of printing the names of supporters and opponents with local ballot measures if doing so avoids a ballot exceeding six cards.

FILE NO.	ORDINANCE NO.
1	[Municipal Elections Code - Supporters and Opponents in Ballot Questions for Local Measures]
2	
3	Ordinance amending the Municipal Elections Code to provide that the names of
4	supporters and opponents of a local ballot measure submitted to the voters be listed in
5	the ballot statement or question for each local measure except when including such
6	names will cause there to be more than six ballot cards for that election.
7	
8	NOTE: Unchanged Code text and uncodified text are in plain Arial font. Additions to Codes are in <u>single-underline italics Times New Roman font</u> . Deletions to Codes are in strike-through italics Times New Roman font . Board amendment additions are in <u>double-underlined Arial font</u> . Board amendment deletions are in strike-through Arial font . Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.
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11	
12	Be it ordained by the People of the City and County of San Francisco:
13	
14	Section 1. Background and Findings.
15	(a) The Municipal Elections Code requires the City Attorney to prepare a general
16	statement or question to appear on the ballot for each local ballot measure submitted to the
17	voters. Such statements are limited to 30 words, except for unusually complex measures or
18	bond measures, where the general statement or question may be up to 100 words long.
19	(b) In 2022, with the enactment of Assembly Bill 1416 (AB 1416), the State established
20	new requirements for ballot statements or questions for state and local ballot measures. AB
21	1416 requires the ballot statement or question for statewide measures and local measures to
22	include a list of supporters and opponents of each measure and authorizes counties to opt out
23	of the requirement for local measures. The list of supporters and the list of opponents may
24	each be up to 125 characters in length. The names of the supporters and opponents must be
25	
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Introduction to Amendment

Underlying this MEC amendment is Assembly Bill (AB) 1416 which requires the printing of the names of supporters and opponents on ballot labels for local measures unless a county's Board of Supervisors opts out.

- The San Francisco Board of Supervisors previously opted out of AB 1416 via ordinance for any election conducted in Fiscal Year (FY) 2023-24, including the March 5, 2024, election.
- The Department's current request to the Board to opt out is related to the expected large number of local measures that will appear on the November 2024 ballot.



Changes to a Measure Layout

Prior to State Law

31 REFERENDUM ON 2020 LAW THAT WOULD PROHIBIT THE RETAIL SALE OF CERTAIN FLAVORED TOBACCO PRODUCTS. A "Yes" vote approves, and a "No" vote rejects, a 2020 law prohibiting retail sale of certain flavored tobacco products. **Fiscal Impact:** Decreased state tobacco tax revenues ranging from tens of millions of dollars annually to around \$100 million annually.

REPERENDUM SA 2020 BATAS NA MAGBABAWAL SA RETAIL NA PAGBEBENTA NG ILANG PARTIKULAR NA PRODUKTONG TABAKO NA MAY FLAVOR. Nag-aaprubang ang botong "Oo" at tumatanggi ang botong "Hindi" sa isang 2020 batas na nagbabawal sa retail na pagbebenta ng ilang partikular na produktong tabako na may flavor. **Epekto sa Pananalapi:** Mas kaunting kita sa buwis sa tabako ng estado na mula sampu-sampung milyong dolyar bawat taon hanggang sa humigit-kumulang \$100 milyon taun-taon.

YES / OO	<input type="radio"/>
NO / HINDI	<input type="radio"/>

CITY AND COUNTY PROPOSITIONS / MGA PROPOSISYON NG LUNGSOD AT COUNTY

A Shall the City amend the Charter to allow City employees who retired before November 6, 1996, to receive a supplemental cost of living adjustment to their pensions even if the retirement system is not fully funded and allow the Retirement Board to have an individual employment contract with its executive director?

Dapat bang amyendahan ng Lungsod ang Tserter upang mapahintulutan ang mga empleyado ng Lungsod, na nagretiro bago ang Nobyembre 6, 1996, na makatanggap ng karagdagang pera sa kanilang pensiyon at nang makaayon sa halaga ng pamumuhay, kahit na hindi lubusang napopondohan ang sistema para sa pagreretiro, at pahintulutan ang Retirement Board na magkaroon ng pang-indibidwal na kontrata sa pag-eempleyo sa ehekutibong direktor nito?

YES / OO	<input type="radio"/>
NO / HINDI	<input type="radio"/>

State Measures Only

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State and Local Measures

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CITY AND COUNTY PROPOSITIONS / MGA PROPOSISYON NG LUNGSOD AT COUNTY

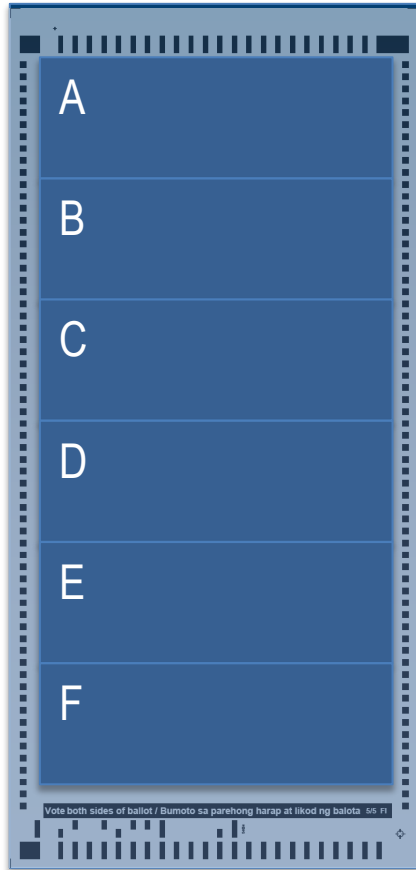
A Shall the City amend the Charter to allow City employees who retired before November 6, 1996, to receive a supplemental cost of living adjustment to their pensions even if the retirement system is not fully funded and allow the Retirement Board to have an individual employment contract with its executive director? **Supporters:** Supervisors: Safai, Walton, Chan, Dorsey, Melgar, Mandelman, Peskin, Preston, Ronen, and Stefani **Opponents:** CSFNI; CRS; District 11 League; EMIA; Save Our Amazing City; OMI Cultural Participation Project; Harold Chin

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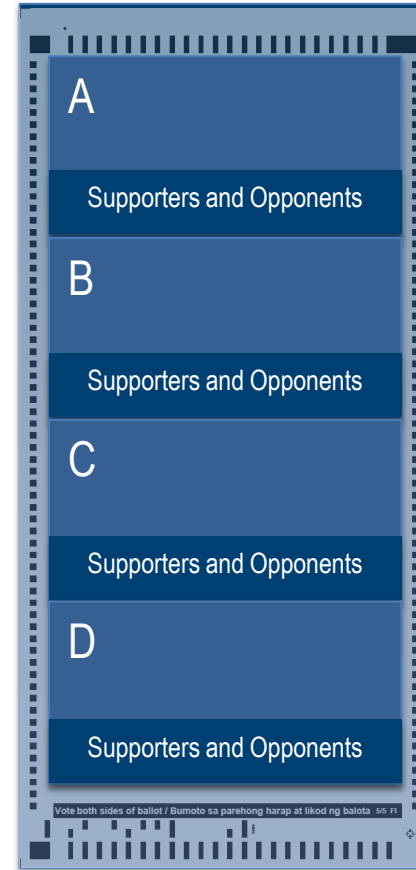
↔ Impact on Measure Layout

6



Without Supporters/Opponents

4



With Supporters /Opponents

↔ Impact on Measure Layout

	<u>Without</u> Supporters/Opponents	<u>With</u> Supporters /Opponents
Number of measures	30	30
Number of measures per card (both sides)	12	8
Number of cards	2.5	3.75

The Department estimates that listing Supporters and Opponents on the ballot would decrease the number of measures that can fit on a card by 33%.



Operational Considerations

While a six-card ballot will slow the processing of ballots, a ballot greater than six cards will significantly impact many election-related operations.

- The Department's ballot printing vendor would need to modify and slow its processes for assembling vote-by-mail ballots.
- The United States Postal Service (USPS) would need to modify how it processes outgoing and returned vote-by-mail ballots due to the weight and size of envelopes.
- The Department would need to manually process the possible 400,000 returned vote-by-mail ballots, including hand-opening each envelope due to the limitations of the Department's ballot processing equipment.

Results Reporting Considerations

The Department is preparing for high turnout in the November 5, 2024, election.

- Even if the ballot is limited to a six-card ballot for the November election, the Department still expects needing at least one extra week to process and count ballots, compared to the time needed to process ballots for the recent March primary election.
- Every incremental one-card increase greater than six cards will significantly impact and slow the counting of ballots and the release of election results.
- However, if opting out would still result in a ballot with more than six cards, the Department will then print the names of supporters and opponents of local measures on the ballots.