

[Elections Code Amendments Relating to Information Provided in the Voter Information Pamphlet and Filing Fees for Candidates to the Board of Supervisors]

**Ordinance amending the San Francisco Municipal Elections Code by amending Sections 120, 220, 500, 545, 810, and 840 to: delete provisions relating to runoff elections; increase the candidate statement of qualifications from 200 to 300 words and authorize the inclusion of a candidate photograph and support of partisan political organizations in the Voter Information Pamphlet; present candidate information in ballot order in the Voter Information Packet; add elected officials and qualified recipient political committees formed for the purpose of opposing or supporting a measure to the priority list for submission and acceptance of proponent and opponent ballot arguments; increase the filing fee for candidates for the Board of Supervisors; and increase the value of an in-lieu signature for Board of Supervisors.**

Note: Additions are *single-underline italics Times New Roman*; deletions are ~~*strikethrough italics Times New Roman*~~. Board amendment additions are double underlined. Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Municipal Elections Code is hereby amended by amending Sections 120, 220, 500, 545, 810, and 840 to read as follows:

**Sec. 120. ELECTION DATES.**

(a) The dates for election of local officeholders are specified in Charter Section 13.100 et seq.

1 (b) On Tuesday after the first Monday in November in 1997 and every year thereafter,  
2 there shall be held in the City and County an election to be known as the general municipal  
3 election.

4 ~~(c) In the event that a runoff election is required to be held pursuant to Charter Section 13.102~~  
5 ~~for the office of Mayor, Sheriff, District Attorney, City Attorney or Treasurer, the runoff election shall~~  
6 ~~be held on the second Tuesday of the next ensuing December. Only those officers for which a runoff~~  
7 ~~election is required to be held shall be voted on at any such municipal runoff election; no other office~~  
8 ~~or measure shall be voted on at said election; no special municipal election shall be consolidated with~~  
9 ~~any such municipal runoff election.~~

10 ~~(d) In the event that a runoff election is required to be held pursuant to Charter Section 13.102~~  
11 ~~for the office of Assessor-Recorder or Public Defender, the runoff election shall be held at the next~~  
12 ~~general election.~~

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14 **SEC. 220. CANDIDATE QUALIFICATION STATEMENTS AND PHOTOGRAPHS.**

15 (a) Content and Form of Statement. Candidates may file a candidate qualification  
16 statement including the name, age and occupation of the candidate and a description of no  
17 more than ~~200~~ 300 words of the candidate's education and qualifications as expressed by the  
18 candidate. ~~The statement shall be on a form provided by the Director of Elections for this purpose.~~  
19 Candidates may also provide a photograph for inclusion in the Voter Information Pamphlet. The  
20 statement and the submitted photograph shall be provided in a manner specified by the Director of  
21 Elections and on or attached to a form provided by the Director.

22 (b) Deadline for Submission of Statement. Candidates who choose to submit a  
23 candidate qualification statement and/or photograph shall file the ~~statement~~ same with the  
24 Department of Elections when the candidate returns his or her nomination papers for filing. ~~In~~  
25 ~~addition, candidates for Assessor-Recorder or Public Defender who qualify for a runoff election to be~~

1 ~~held at the next general election may submit to the Department of Elections no later than 88 days~~  
2 ~~before the general election a new candidate qualification statement.~~

3 (c) Inclusion of Nominators and Supporters. The candidate qualification statement may  
4 but need not include the names of some or all of the candidate's nominators. The statement  
5 may also include the names of individuals and entities which support the candidate but which  
6 did not serve as nominators. However, the names of such supporters shall not be published  
7 as part of the candidate's qualification statement unless the candidate provides the  
8 supporter's written authorization at the time the statement is submitted to the Director of  
9 Elections. The authorization shall be in a form prescribed by the Director of Elections. If the  
10 candidate chooses to include the names of nominators or other supporters in the candidate  
11 qualification statement, these names shall be counted toward the ~~200~~300-word limit.

12 (d) ~~Limitations~~ Political Party Affiliation; Support of Partisan Political Organizations. The  
13 candidate qualification statement shall not include the party affiliation of the candidate, nor  
14 membership or activity in partisan political organizations, but may include the support of partisan  
15 political organizations pursuant to the written authorization requirements of subsection (c).

16 (e) Withdrawal of Statement. A candidate may withdraw, but not change, his or her  
17 candidate qualification statement by filing with the Director of Elections a signed and sworn  
18 statement of withdrawal no later than 5:00 p.m. of the sixty-seventh day prior to the election.  
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## 20 **SEC. 500. VOTER INFORMATION PAMPHLET; CONTENTS; FORMAT.**

21 With respect to any election to be held in the City and County, the Director of Elections  
22 shall prepare a voter information pamphlet. The voter information pamphlet shall contain, in  
23 addition to any other material required by the Charter or by general law, the following  
24 materials:

25 (a) General contents:

- 1 (1) A table of contents;
- 2 (2) An index of candidates and measures;
- 3 (3) A brief explanation of the purpose and use of the pamphlet;
- 4 (4) A summary of voters' rights, including a description of the right provided to every  
5 elector by California Elections Code sections 9295 and 13314 to seek a writ of mandate or an  
6 injunction prior to the publication of the Voter Information Pamphlet, requiring any or all of the  
7 materials submitted for publication in the Pamphlet to be amended or deleted;
- 8 (5) A brief description of the rules and procedures that govern the submission,  
9 selection and publication of ballot arguments in the pamphlet, including a statement explaining  
10 that each person entitled to submit a "Proponent's" or "Opponent's" argument is chosen  
11 pursuant to the priority list stated in Section 545 of this Code;
- 12 (6) A disclaimer that neither the Director of Elections nor any other City agency, official  
13 or employee verifies the accuracy of information contained in the ballot arguments or  
14 candidate qualification statements appearing in the pamphlet, and an explanation that any  
15 person submitting a ballot argument or qualifications statement bears the sole responsibility  
16 for claims made therein;
- 17 (7) Artwork, graphics and other material which the Director of Elections determines will  
18 make the pamphlet easier to understand or more useful to the voter;
- 19 (8) Definitions of terms appearing in the pamphlet; and
- 20 (9) A sample ballot.
- 21 (b) Contents as to candidates:
  - 22 (1) The candidate qualification statement and photograph, if provided, of each candidate  
23 for an elective office of the City and County;
  - 24 (2) A brief statement of the term, compensation, and duties of each elective office of  
25 the City and County appearing in the pamphlet; and

1 (3) Any notice required by the Campaign Finance Reform Ordinance or the Political  
2 Reform Act, Government Code Section 85600, informing voters whether the candidate has  
3 adopted the applicable voluntary expenditure ceiling.

4 (c) Contents as to measures:

5 (1) The identification of each measure by letter and title;

6 (2) The City Attorney's statement or question for each measure;

7 (3) The digest of each measure prepared by the Ballot Simplification Committee;

8 (4) The Controller's financial analysis of each measure;

9 (5) An explanation of how the measure qualified for submission to the voters;

10 (A) If the measure was submitted to the voters by the Board of Supervisors, the  
11 explanation required by Subsection (c)(5) of this Section shall identify those Supervisors who  
12 voted for submission of the measure and those Supervisors who voted against submission of  
13 the measure,

14 (B) If the measure was submitted to the voters by four or more members of the Board  
15 of Supervisors, the explanation required by Subsection (c)(5) of this Section shall identify  
16 those Supervisors who submitted the measure,

17 (C) If the measure was submitted to the voters by initiative petition, the explanation  
18 required by Subsection (c)(5) of this Section shall include the number of valid signatures of  
19 registered San Francisco voters that were required to qualify the measure for the ballot, and  
20 the date on which the Director of Elections certified that the measure qualified for the ballot;

21 (6) The full text of each measure to be voted upon at the election;

22 (7) The opponent, proponent, rebuttal and paid arguments, if any, for or against each  
23 measure; and

24 (8) A disclaimer before any opponent, proponent or rebuttal argument that is submitted  
25 by the Board of Supervisors or by one or more members of the Board of Supervisors for or

1 against any measure, stating, "The Board of Supervisors authorized the submission of the  
2 following argument. As of the date of the publication of this Voter Information Pamphlet, the  
3 following Supervisors endorse the measure *[insert names of Supervisors who have by 5:00*  
4 *p.m. on the deadline for the submission of the proponent and opponent arguments set forth in*  
5 *section 535 of this Code notified the Department of Elections in writing that they endorse the*  
6 *measure]; oppose the measure [insert names of Supervisors who have by 5:00 p.m. on the*  
7 *deadline for the submission of the proponent and opponent arguments set forth in section 535*  
8 *of this Code notified the Department of Elections in writing that they oppose the measure];*  
9 *take no position on the measure [insert names of Supervisors who have by 5:00 p.m. on the*  
10 *deadline for the submission of the proponent and opponent arguments set forth in section 535*  
11 *of this Code either failed to notify the Department of Elections that they support or oppose the*  
12 *measure or notified the Department of Elections in writing that they have not taken a position*  
13 *on the measure]" This disclaimer shall not be counted towards the number of words permitted*  
14 in each argument.

15 Measures, *the list of candidates*, and ~~the~~ materials specified in this Section ~~relating to said~~  
16 ~~measures~~, *pertaining to candidates and measures* shall be printed in the voter information  
17 pamphlet in the same order in which designated upon the ballot.

18 The items specified in Subsection (c)(1) to (c)(5) of this Section shall be printed  
19 together on the same page of the voter information pamphlet. This page shall be known as  
20 the "ballot measure title page." The ballot measure title page shall also indicate: the page  
21 number at which the full text of the measure is printed; the page number at which the  
22 arguments for or against the measure are printed; and, if applicable the page number at which  
23 the definitions of terms appearing on ballot measure title page are printed.

24 The format of the voter information pamphlet shall be determined by the Director of Elections,  
25 subject to the approval of the Ballot Simplification Committee.

1 The voter information pamphlet shall be mailed to each registered San Francisco voter  
2 at least 21 days prior to each general or special municipal election.

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4 **SEC. 545. PROPONENT AND OPPONENT ARGUMENTS; SELECTION IF MORE THAN**  
5 **ONE SUBMITTED.**

6 (a) In the event more than one argument is submitted for selection as the "proponent's"  
7 argument for or "opponent's" argument against any measure, the Director of Elections shall  
8 no later than noon of the seventy-sixth day prior to the election select the argument to be  
9 published according to the order of priority shown herein.

10 (1) Arguments supporting a measure:

11 (A) The proponent of an initiative petition; or the Mayor, the Board of Supervisors or  
12 four members of the Board of Supervisors if the measure is submitted by the same;

13 (B) The Board of Supervisors, or any member or members designated by the Board;

14 (C) The Mayor;

15 (D) Any Member of the Board of Supervisors not designated by the full Board or any elected  
16 official enumerated in Section 6.100 of the Charter;

17 (E) The authorized officer of a ballot measure committee formed primarily to support the  
18 measure, provided that the committee is registered with the Secretary of State and qualifies as a  
19 recipient political committee pursuant to California Government Code Section 82013(a) on or before  
20 the submission deadline;

21 (F) Any individual registered San Francisco voter, group of registered San Francisco  
22 voters, association or organization, or combination thereof.

23 (2) Arguments opposing a measure:

24 (A) In the case of a referendum, the person who files a referendum petition with the  
25 Board of Supervisors;

1 (B) The Board of Supervisors, or any member or members designated by the Board;

2 (C) The Mayor;

3 (D) Any Member of the Board of Supervisors not designated by the full Board or any elected  
4 official enumerated in Section 6.100 of the Charter;

5 (E) The authorized officer of a ballot measure committee formed primarily to oppose the  
6 measure, provided that the committee is registered with the Secretary of State and qualifies as a  
7 recipient political committee pursuant to California Government Code Section 82013(a) on or before  
8 the submission deadline;

9 (F) Any individual registered San Francisco voter, group of registered San Francisco  
10 voters, association or organization, or combination thereof.

11 (b) In the event that more than one argument is submitted for or against a measure at  
12 any given level of priority and no argument entitled to higher priority is submitted, the Director  
13 of Elections shall select the "proponent's" or "opponent's" argument by lot from among all  
14 arguments at the highest level of priority.

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16 **SEC. 810. CANDIDATE FEES.**

17 (a) Except as provided in Subsection (b), at the time a candidate files his or her  
18 declaration of candidacy and nomination certificates the candidate shall pay to the Director of  
19 Elections a sum equal to \$2,000 or two percent of the current annual salary for the office to  
20 which the candidate seeks election, whichever is higher.

21 (b) At the time a candidate for the ~~Board of Supervisors,~~ School Board or Community  
22 College Board files his or her declaration of candidacy and nomination certificates, the  
23 candidate shall pay to the Director of Elections a sum equal to \$500.

1     **SEC. 840. SIGNATURES IN LIEU OF FEES.**

2             Each signature submitted in lieu of a fee ~~that is specified in this Article~~ related to a  
3 candidate or measure voted upon on a citywide basis shall reduce the amount of the fee by \$0.50.  
4 Each signature submitted in lieu of a fee related to a candidate elected on a district basis shall reduce  
5 the amount of the fee by \$1.00.

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8     APPROVED AS TO FORM:  
9     DENNIS J. HERRERA, City Attorney

10    By: \_\_\_\_\_  
11        Ann M. O'Leary  
12        Deputy City Attorney

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