

## LEGISLATIVE DIGEST

[Administrative Code - Disclosure of Spending in Retirement Board, Health Service Board and Retiree Health Care Trust Fund Board Elections]

**Ordinance amending the Administrative Code to require disclosure of candidate and third-party spending in Retirement Board, Health Service Board and Retiree Health Care Trust Fund Board elections; set late filing fees and penalties for violations; specify that the Department of Elections shall conduct these elections; and clarify the confidentiality of eligible voters' names and addresses.**

### Existing Law

Chapter 16, Article XIII of the Administrative Code governs elections for members of the Retirement Board, Health Service Board, and the Retiree Health Care Trust Fund Board (collectively "Boards"). Each Board consists of appointed and elected members. In general, only current and retired City employees can participate in these elections.

Article XIII does not require any reporting of expenditures made in support of or in opposition to candidates seeking election to these Boards. Article XIII also does not have any specific provisions regarding the confidentiality of information concerning eligible voters participating in these elections.

Article XIII suggests that these Boards may select contractors to conduct these elections. But the Charter requires the Department of Elections to conduct elections for the Retirement Board and the Health Service Board. Charter §§12.100, 12.200.

### Amendments to Current Law

The proposed ordinance requires candidates who spend more than \$500 or more on communications with eligible voters to file disclosure statements with the Ethics Commission. The proposal also requires any persons or entities who spend \$500 or more on communications featuring these candidates to file disclosure statements with the Ethics Commission. The ordinance also provides the Ethics Commission with the authority to impose late filing fees and to levy penalties on persons who fail to file the required statements.

The proposed ordinance also specifies that only the Department of Elections may conduct elections for the Boards, by deleting Article XIII's references to contractors.

The proposal also clarifies that information concerning voters participating in these elections shall be subject to disclosure under the standards established by the California Public Records Act and the Sunshine Ordinance, rather than the California Elections Code.