

LEGISLATIVE DIGEST
(Amended 10/18/2021)

[Municipal Elections Code – Non-United States Citizen Voting in School Board Elections]

Ordinance amending the Municipal Elections Code to reauthorize Non-United States citizen voting in elections for the Board of Education of the San Francisco Unified School District, and specifying that Non-United States citizens may vote in recall elections regarding members of the Board of Education

Existing Law

In November 2016, voters approved Proposition N, authorizing non-United States citizens (“noncitizens”) parents, guardians and caretakers to vote for members of the Board of Education (“School Board”) for the San Francisco Unified School District. Proposition N amended the Charter to allow any noncitizen to vote in School Board elections if the voter is (1) a resident of San Francisco, (2) legal voting age, (3) the parent, guardian, or caregiver of a child under 19 years old residing in San Francisco, and (4) not in prison or on parole for a felony conviction. After the voters approved Proposition N, the Board of Supervisors implemented this noncitizen voting program through Article X of the Municipal Elections Code.

Proposition N’s authorization of noncitizen voting expires on December 31, 2022, unless the Board of Supervisors determines thereafter by ordinance that the right of noncitizens to vote in School Board elections continues beyond that date.

Amendments to Current Law

If approved by the Board of Supervisors, this Ordinance would extend the City’s existing noncitizen voting program for School Board elections beyond December 31, 2022, without a sunset date.

Additionally, this Ordinance would specify that noncitizens may vote in recall elections regarding members of the Board of Education.