

[Charter - Analyzing proposed legislation that may result in a net job loss]

CHARTER AMENDMENT

PROPOSITION _____

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 2.118, to require the Board of Supervisors to wait at least 60 days before adopting an ordinance that may result in a significant net loss of jobs in San Francisco, and to refer the ordinance to the Small Business Commission and Planning Commission for analysis.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on June 5, 2012, a proposal to amend the Charter of the City and County by adding Section 2.118 to read as follows:

NOTE: Additions are single-underline italics Times New Roman; deletions are ~~strike through italics Times New Roman~~.

SEC. 2.118. PROPOSED LEGISLATION AND ITS IMPACT ON JOBS.

(a) If the Controller, in his or her sole discretion, determines that a proposed ordinance introduced at the Board of Supervisors is, if adopted, likely to have a material economic impact on San Francisco and result in a significant net loss of jobs, and if the Controller reports that determination to the Board of Supervisors, the Board may not finally adopt the ordinance for at least 60 days from the date the Controller submits the determination.

(b) The Clerk of the Board shall transmit the ordinance and the Controller's determination to the Small Business Commission and/or the Planning Commission, and any other City department or agency identified by the Board of Supervisors, for report to the Board on the measure's impact on the creation or retention of jobs in the City.

(c) The provisions of this Section shall not apply to: emergency ordinances; measures to be submitted to the voters; budget legislation, including amendments to existing fee ordinances

accompanying the annual budget, and the annual appropriations and salary ordinances or amendments to them; and ordinances approving transactions, settlements of claims or litigation, or collective bargaining agreements.

(d) The Board of Supervisors, in consultation with the Mayor, shall provide by ordinance for rules and guidelines governing the implementation of this Section. The Board of Supervisors shall adopt such ordinance no later than November 1, 2012.

(e) The City's failure to comply with the requirements of this Section shall not provide a basis to invalidate any legislation otherwise subject to this Section or any City action based on such legislation.

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By:

THOMAS J. OWEN
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