

1 [Deadlines for correction and review of ballot arguments.]

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3 Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change
4 the deadline for correction of errors in rebuttal ballot arguments from noon on the
5 seventy-sixth day before the election to noon on the seventy-fifth day before the
6 election, to be consistent with the deadline for correction of errors in paid ballot
7 arguments; and change the public inspection periods for ballot arguments so that the
8 periods for public review of proponent, opponent, rebuttal and paid arguments, and
9 related materials, all end on the same date, sixty-four days before the election.

10 Note: Additions are single-underline italics Times New Roman;
11 deletions are ~~striketrough italics Times New Roman~~.
12 Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough normal~~.

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

14 Section 1. The San Francisco Municipal Elections Code is hereby amended by
15 amending Section 535, to read as follows:

16 Sec. 535. BALLOT ARGUMENTS; DEADLINES FOR SUBMISSION, CORRECTION,
17 AND WITHDRAWAL.

18 (a) Proponent and Opponent Arguments. Ballot arguments submitted for selection as
19 the "proponent's" argument for or "opponent's" argument against a measure as provided in
20 Section 545 must be submitted to the Director of Elections no later than noon of eighty-first
21 day prior to the election at which the measure is to be voted upon.

22 (b) Rebuttal Arguments. Rebuttal arguments as provided for in Section 550 must be
23 submitted to the Director of Elections no later than noon of the seventy-seventh day prior to
24 the election at which the measure is to be voted upon.

1 (c) Paid Arguments. Ballot arguments submitted for publication as paid arguments for
2 or against a measure as provided for in Section 560 must be submitted to the Director of
3 Elections no later than noon of the seventy-sixth day prior to the election at which the
4 measure is to be voted upon.

5 (d) Modification or Withdrawal of Submitted Arguments. Arguments may be changed or
6 withdrawn by the persons submitting them at any time up to and including the last day for
7 submission. No person may change an argument, except as provided in subsection (e), and
8 no person may withdraw an argument after the deadline for submission of the argument.

9 (e) Correction of Submitted Arguments. Grammatical, spelling and factual errors
10 contained in a proponent or opponent argument may be corrected by the person submitting
11 the argument at any time up until noon of the seventy-eighth day prior to the election.
12 Grammatical, spelling and factual errors contained in a rebuttal argument may be corrected by
13 the person submitting the argument at any time up until noon of the seventy-fifth ~~seventy-sixth~~
14 day prior to the election. Grammatical, spelling and factual errors contained in a paid
15 argument may be corrected by the person submitting the argument at any time up until noon
16 of the seventy-fifth day prior to the election. For purposes of this subsection, the determination
17 of what constitutes a grammatical, spelling or factual error shall be made by the Director of
18 Elections. No person may correct grammatical spelling or factual errors contained in an
19 argument after the deadline specified in this subsection.

20 Section 2. The San Francisco Municipal Elections Code is hereby amended by
21 amending Section 590, to read as follows:

22 Sec. 590. VOTER INFORMATION PAMPHLET; PUBLIC EXAMINATION.

23 California Elections Code Sections 9295 and 13313 require that certain materials
24 submitted for publication in the voter information pamphlet shall be subject to a 10-day public
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1 examination period. The public examination period for each category of material is specified
2 below, and commences one day after the deadline for submitting that material to the
3 Department of Elections and ends ten days later. Following the close of the public
4 examination period for each category of material, the Department of Elections may proceed
5 with publication of that material.

6 (a) Candidate Materials.

7 (1) Candidate Qualification Statements. Candidate qualification statements submitted
8 pursuant to Section 220 of this Article shall be available for public examination starting no
9 later than noon on the eighty-seventh day prior to the election. The public examination period
10 shall end at noon on the seventy-seventh day prior to the election.

11 (2) Ballot Designations. Candidate ballot designations submitted pursuant to Section
12 225 of this Article shall be available for public examination starting no later than noon on the
13 eighty-seventh day prior to the election. The public examination period shall end at noon on
14 the seventy-seventh day prior to the election.

15 (b) Ballot Measure Materials.

16 (1) Controller Statements. Statements prepared by the Controller pursuant to Section
17 520 of this Article shall be available for public examination starting no later than noon on the
18 eighty-fourth day prior to the election. The public examination period shall end at noon on the
19 seventy-fourth day prior to the election.

20 (2) City Attorney Statements or Questions. Statements or questions prepared by the
21 City Attorney pursuant to Section 510 of this Article shall be available for public examination
22 starting no later than noon on the eighty-fourth day prior to the election. The public
23 examination period shall end at noon on the seventy-fourth day prior to the election.

24 (3) Proponent and Opponent Arguments. Proponent and opponent arguments
25 submitted pursuant to Section 535(a) of this Article shall be available for public examination

1 starting no later than noon on the seventy-seventh day prior to the election. The public
2 examination period shall end at noon on the sixty-fourth ~~sixty-seventh~~ day prior to the election.

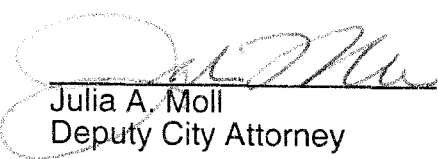
3 (4) Rebuttal Arguments. Rebuttal arguments submitted pursuant to Section 535(b) of
4 this Article shall be available for public examination starting no later than noon on the seventy-
5 fifth day prior to the election. The public examination period shall end at noon on the sixty-
6 fourth ~~sixty-third~~ day prior to the election.

7 (5) Paid Arguments. Paid arguments submitted pursuant to Section 535(c) of this
8 Article shall be available for public examination starting no later than noon on the seventy-
9 fourth day prior to the election. The public examination period shall end at noon on the sixty-
10 fourth ~~sixty-third~~ day prior to the election.

11 (c) Other Materials. For all other materials submitted for publication in the voter
12 information pamphlet that are subject to a 10-day public examination period pursuant to
13 California Elections Code Sections 9295 and 13313, but for which an examination period is
14 not specified by this Section, the examination period shall commence no later than noon on
15 the seventy-fourth ~~sixty-ninth~~ day prior to the election and shall end at noon on the tenth day
16 after the date of commencement.

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18
19 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

20
21 By:


22 Julia A. Moll
23 Deputy City Attorney
24
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 040980

Date Passed:

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election.

August 10, 2004 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

August 17, 2004 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 040980

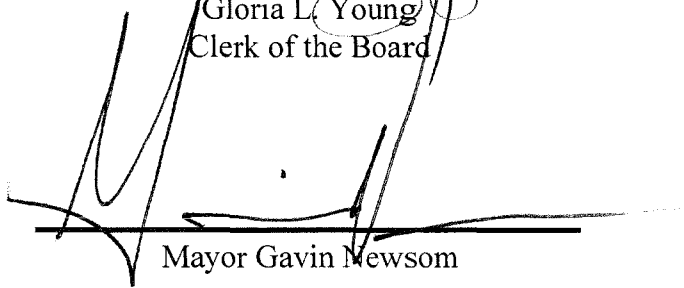
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on August 17, 2004
by the Board of Supervisors of the City and
County of San Francisco.

8/25/04

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom