

1 [Opposing the United States Supreme Court's Decision in Citizens United and Supporting
2 Related United States Constitutional Amendment]

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4 **Resolution opposing the United States Supreme Court's interpretation of the**
5 **Constitution in *Citizens United* regarding the rights of corporations and supporting an**
6 **amendment to the Constitution to provide that corporations are not entitled to the**
7 **entirety of protections of natural persons.**

8 WHEREAS, Free and fair elections are the foundation of American democracy; and

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10 WHEREAS, In *Citizens United v. Federal Election Commission*, the Supreme Court
11 held that independent spending on elections by corporations and other groups could not be
12 limited by government regulations, a decision that allows for unlimited corporate spending in
13 elections; and

14 WHEREAS, In reaching its decision in *Citizens United*, the Supreme Court interpreted
15 the First Amendment of the Constitution to afford corporations the same free speech
16 protections as natural persons; and

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18 WHEREAS, The *Citizens United* decision has proven to be one of the Court's most
19 controversial decisions and supersedes state and local efforts to regulate corporate activity in
20 their campaign finance laws; and

21 WHEREAS, In his eloquent dissent, Justice John Paul Stevens stated that
22 "[c]orporations have no consciences, no beliefs, no feelings, no thoughts, no desires.
23 Corporations help structure and facilitate the activities of human beings, to be sure, and their
24 'personhood' often serves as a useful legal fiction. But they are not themselves members of
25

1 'We the People' by whom and for whom our Constitution was established"; and

2 WHEREAS, Members of Congress are seeking to amend the Constitution in order to
3 reverse the *Citizens United* decision and establish that corporations are not entitled to the
4 entirety of protections of natural persons; and

5 WHEREAS, Several dozen municipalities, including New York City, Los Angeles, and
6 Oakland, have successfully passed resolutions opposing the Supreme Court's interpretation
7 of the Constitution in *Citizens United* and supporting Constitutional amendments; and

8 WHEREAS, The City and County of San Francisco has a long history of demonstrating
9 support for ensuring free and fair elections, such as with its public campaign finance policy, as
10 well as other ethics and electoral reforms; now, therefore, be it

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12 RESOLVED, That the San Francisco Board of Supervisors hereby declares its
13 opposition to the Supreme Court's interpretation of the Constitution in *Citizens United*
14 regarding the rights of corporations; and be it

15
16 FURTHER RESOLVED, That the San Francisco Board of Supervisors joins other cities
17 in calling on Congress to begin the process of amending the Constitution to provide that
18 corporations are not entitled to the entirety of protections or "rights" of natural persons,
19 specifically so that the expenditure of corporate money to influence the electoral process is no
20 longer a form of constitutionally protected speech.



City and County of San Francisco
Tails
Resolution

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

File Number: 120025

Date Passed: January 31, 2012

Resolution opposing the United States Supreme Court's interpretation of the Constitution in Citizens United regarding the rights of corporations and supporting an amendment to the Constitution to provide that corporations are not entitled to the entirety of protections of natural persons.

January 24, 2012 Board of Supervisors - CONTINUED


Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

January 31, 2012 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120025

I hereby certify that the foregoing Resolution was ADOPTED on 1/31/2012 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board

UNSIGNED


Mayor

2/10/12

Date Approved

Date: February 10, 2012

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.


Clerk of the Board

File No.
120025