

1 [Reporting Sources of Gifts of Travel]

2 **Ordinance amending Article III, Chapter 2 of the San Francisco Campaign and**
3 **Governmental Conduct Code, by amending section 3.216 to impose reporting**
4 **requirements for gifts of travel to public officials from persons and entities other than**
5 **the City.**

6 Note: Additions are *single-underline italics Times New Roman*;
7 deletions are *strikethrough italics Times New Roman*.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough normal~~.

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

11 Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby
12 amended by amending Section 3.216, to read as follows:

13 SEC. 3.216. GIFTS.

14 (a) Prohibition on bribery. No person shall offer or make, and no officer or employee
15 shall accept, any gift with the intent that the City officer or employee will be influenced thereby
16 in the performance of any official act.

17 (b) General gift restrictions. In addition to the gift limits imposed by California
18 Government Code section 89503, section 3.1-101 of the Campaign and Governmental
19 Conduct Code and any subsequent amendments to those sections, no officer or employee of
20 the City and County shall solicit or accept any gift in excess of \$100 in a calendar year from a
21 person who the officer or employee knows or has reason to know is a restricted source. For
22 purposes of this subsection, the term gift has the same meaning as under California
23 Government Code section 89503 and any subsequent amendments to that section.

24 (1) Restricted Source. For purposes of this section, a restricted source means:
25 (A) a person doing business with or seeking to do business with the department of the officer

1 or employee; (B) any person who during the prior 12 months knowingly attempted to influence
2 the officer or employee in any legislative or administrative action.

3 (2) Adjustment of gift limits. The Ethics Commission is authorized to adjust
4 annually the gift limits imposed by this section to reflect changes in the California Consumer
5 Price Index.

6 (c) Gifts from subordinates. No officer or employee shall solicit or accept any gratuity
7 in money or other valuable thing, either directly or indirectly, from any subordinate or
8 employee or from any candidate or applicant for a position as employee or subordinate under
9 him or her. The Ethics Commission shall issue regulations implementing this section,
10 including regulations exempting voluntary gifts that are given or received for special occasions
11 or under other circumstances in which gifts are traditionally given or exchanged.

12 (d) Gifts of travel. In addition to the gift limits and reporting requirements imposed by the
13 Political Reform Act and this Code, no elected officer may accept a gift of transportation, lodging, or
14 subsistence for any out-of-state trip paid for in part by an entity other than the City and County of San
15 Francisco, unless the officer has first disclosed on a form filed with the Ethics Commission:

16 (i) the name of the entity and total amount that will be paid by the entity to fund the trip,
17 including but not limited to the amount directly related to the cost of the elected officer's
18 transportation, lodging, and subsistence;

19 (ii) the name, occupation and employer of any contributor who has contributed more than \$500
20 to the entity funding the trip and whose contributions were used in whole or in part to fund the trip;

21 (iii) a description of the purpose of the trip and the itinerary; and

22 (iv) the name of any other persons accompanying the official on the trip, including but not
23 limited to city employees.

1 The Ethics Commission shall provide a form for the disclosure required by this section and shall make
2 the completed forms available on its website. For purposes of this section, the term "elected officer"
3 means the Mayor, member of the Board of Supervisors, City Attorney, District Attorney, Public
4 Defender, Assessor, Treasurer, and Sheriff.

5 ~~(d)~~ (e) Restrictions. Nothing in this section shall prohibit a City department, agency, board or
6 commission from imposing additional gift restrictions on its officers or employees.

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9 APPROVED AS TO FORM:
10 DENNIS J. HERRERA, City Attorney

11 By:

12 CLAIRE SYLVIA
Deputy City Attorney

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