

1 [Campaign Consultants Lobbying Current And Former Clients.]

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3 **Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article**
4 **II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and**
5 **Governmental Conduct Code to prohibit campaign consultants and employees of**
6 **campaign consultants from lobbying current and former clients.**

7 Note: Additions are single-underline italics Times New Roman;
8 deletions are ~~strikethrough italics Times New Roman~~.
9 Board amendment additions are double underlined.
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 2.100, to read as follows:

13 **SEC. 2.100. FINDINGS.**

14 (a) The Board of Supervisors finds that public disclosure of the identity and extent of
15 efforts of lobbyists to influence decision-making regarding local legislative and administrative
16 matters is essential to protect public confidence in the responsiveness and representative
17 nature of government officials and institutions. It is the purpose and intent of the Board of
18 Supervisors to impose on lobbyists reasonable registration and disclosure requirements to
19 reveal information about lobbyists' efforts to influence decision-making regarding local
20 legislative administrative matters.

21 (b) Corruption and the appearance of corruption in the form of campaign consultants
22 exploiting their influence with City officials on behalf of private interests may erode public confidence
23 in the fairness and impartiality of City governmental decisions. The City and County of San Francisco
24 has a paramount interest in preventing corruption or the appearance of corruption which could result
25 in such erosion of public confidence. Prohibitions on campaign consultants lobbying current and

1 former clients will protect public confidence in the electoral and governmental processes. It is the
2 purpose and intent of the people of the City and County of San Francisco in enacting this Chapter to
3 prohibit campaign consultants from exploiting or appearing to exploit their influence with City officials
4 on behalf of private interests.

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6 Section 2. The San Francisco Campaign and Governmental Conduct Code is hereby
7 amended by adding Section 2.117, to read as follows:

8 **SEC. 2.117. LOBBYING BY CAMPAIGN CONSULTANTS.**

9 (a) Prohibition. No campaign consultant, individual who has an ownership interest
10 in the campaign consultant, or an employee of a the campaign consultant shall, for the purpose of
11 influencing local legislative or administrative action in exchange for economic consideration,
12 communicate with any officer of the City and County who is a current or former client of the
13 campaign consultant.

14 (b) Exceptions. This prohibition shall not apply to:

15 (1) This prohibition shall not apply to:

16 (A) an employee of a campaign consultant whose sole duties are clerical; or

17 (B2) an employee of a campaign consultant who (A) did not personally provide
18 campaign consulting services to the officer of the City and County with whom the employee seeks to
19 communicate in order to influence local legislative or administrative action and (B) does not have
20 an ownership interest in an entity that qualifies as a campaign consultant.

21 (2) The exceptions in subsection (b)(1) shall not apply to any person who
22 communicates with an officer of the City and County in his or her capacity as an employee of
23 the campaign consultant who is prohibited by subsection (a) from making the communication.

24 (c) Definitions. Whenever the following words or phrases are used in this section, they
25 shall mean:

1 (1) "Campaign Consultant" shall have the same meaning as in Article I, Chapter 5,
2 section 1.505 of this Code.

3 (2) "Campaign consulting services" shall have the same meaning as in Article I,
4 Chapter 5, section 1.505 of this Code.

5 (3) "Current client" shall mean a person for whom the campaign consultant has filed a
6 client authorization statement pursuant to Article I, Chapter 5, section 1.515(d) of this Code and not
7 filed a client termination statement pursuant to Article I, Chapter 5, section 1.515(f) of this Code. If
8 such person is a committee as defined by section 82013 of the California Government Code, the
9 current client shall be any individual who controls such committee; any candidate that
10 such committee was primarily formed to support; and any proponent or opponent of a ballot
11 measure that the committee is primarily formed to support or oppose.

12 (4) "Employee" shall mean an individual employed by a campaign consultant,
13 but does not include any individual who has an ownership interest in the campaign consultant
14 that employs them.

15 (5) "Former client" shall mean a person for whom the campaign consultant has filed a
16 client termination statement pursuant to Article I, Chapter 5, section 1.515(f) of this Code within the 42
17 48 months prior to communicating with the person.

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19 Section 3. The San Francisco Campaign and Governmental Conduct Code is hereby
20 amended by adding Section 1.545, to read as follows:

21 **SEC. 1.545. CONSTRUCTION WITH OTHER LAWS.**

22 Lobbying by campaign consultants and employees of campaign consultants is governed by the
23 applicable provisions of Article II, Chapter 1 of this Code, including section 2.117, which prohibits
24 campaign consultants and employees of campaign consultants from communicating with current and
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1 former clients on behalf of another person or entity for the purpose of influencing local legislative or
2 administrative action in exchange for economic consideration.

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

By: _____
CHAD A. JACOBS
Deputy City Attorney