

1 [Campaign and Governmental Conduct Code - Behested Payments]

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3 **Ordinance amending the Campaign and Governmental Conduct Code to permit the**
4 **Board of Supervisors to waive by Resolution the requirements of the behested**
5 **payment Ordinance for the Board itself.**

6 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
7 **Additions to Codes** are in *single-underline italics Times New Roman font*.
8 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
9 **Board amendment additions** are in double-underlined Arial font.
10 **Board amendment deletions** are in ~~strikethrough Arial font~~.
11 **Asterisks (* * * *)** indicate the omission of unchanged Code
12 subsections or parts of tables.

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

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15 Section 1. Chapter 6 of the Campaign and Governmental Conduct Code is hereby
16 amended by revising Section 3.620, to read as follows:

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18 **SEC. 3.620. PROHIBITING ELECTED OFFICIALS, DEPARTMENT HEADS,**
19 **COMMISSIONERS, AND DESIGNATED EMPLOYEES FROM SOLICITING BEHESTED**
20 **PAYMENTS FROM INTERESTED PARTIES.**

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22 (f) **EXCEPTION – WAIVER.** ~~Upon request by a City department, t~~The Board of
23 Supervisors may waive the requirements of this Section 3.620 by resolution, ~~but may not waive~~
24 ~~it for itself~~. A proposed resolution that seeks a waiver shall identify the City employees and
25 officers to whom the waiver will apply, summarize the purpose of the solicitation(s), ~~and shall~~
identify the type of interested parties or the specific interested parties, when the identity is
known, to whom the solicitation(s) would be directed, and include a statement as to why the

1 ~~department parties that would be solicited~~ believes the parties are interested parties. The
2 resolution must include a finding that the waiver would not create an appearance of
3 impropriety and would be in the public interest. Waivers granted under this subsection (f)
4 shall apply prospectively for six months, unless the approving resolution specifies a shorter
5 duration, and shall have no effect as to past solicitations and may not be approved
6 retroactively after the solicitations have occurred. Within 30 days of the enactment of such a
7 resolution, the Clerk of the Board shall publish information regarding the resolution to a
8 dataset of all approved waiver resolutions on DataSF.

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10 Section 2. Prerequisites for Enactment; Super-Majority Vote Requirement. The
11 enactment of Section 1 of this ordinance is subject to provisions of the Campaign and
12 Governmental Conduct Code that require the amendments to be approved by the Ethics
13 Commission by a supermajority vote of at least four members of the Commission, and
14 approved by a supermajority vote of at least eight members of the Board of Supervisors.

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16 Section 3. Effective Date. This ordinance shall become effective 30 days after
17 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
18 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
19 of Supervisors overrides the Mayor's veto of the ordinance.

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21 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
22 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
23 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
24 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
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1 additions, and Board amendment deletions in accordance with the "Note" that appears under
2 the official title of the ordinance.

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4 APPROVED AS TO FORM:
5 DAVID CHIU, City Attorney

6 By: /s/ Kathleen Vermazen Radez
7 KATHLEEN VERMAZEN RADEZ
8 Deputy City Attorney

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