

1 [Clarifying and consolidating reporting requirements; requiring electronic filing]

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3 **Ordinance amending sections 1.108, 1.112, 1.113, and 1.135 of the Campaign and**
4 **Governmental Conduct Code, to clarify and consolidate campaign finance reporting**
5 **requirements, and to expand electronic filing.**

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.
Board amendment deletions are ~~strikethrough normal~~.

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

10 Section 1. The San Francisco Campaign & Governmental Conduct Code is hereby
11 amended by amending Sections 1.108, 1.112, 1.113 and 1.135 to read as follows:

12 SEC. 1.108. CANDIDATE CAMPAIGN CONTRIBUTION TRUST ACCOUNTS AND
13 CAMPAIGN CONTINGENCY ACCOUNTS.

14 (a) CANDIDATE CAMPAIGN CONTRIBUTION TRUST ACCOUNTS.

15 (1) Establishment of Account. Each treasurer for a candidate shall establish a
16 Campaign Contribution Trust Account for the candidate at an office of a bank located in the
17 City and County of San Francisco, ~~the account number and branch identification of which shall be~~
18 ~~filed with the Ethics Commission within ten days of the establishment of the account.~~ All of the
19 expenditures by the candidate for the City elective office sought shall be made from that
20 account.

21 (2) Prohibition on Multiple Accounts. All funds, services or in-kind contributions
22 received by a City elective officer, or by any person or committee on behalf of a City elective
23 officer, for expenses incurred directly in connection with carrying out the usual and necessary
24 duties of holding office shall be deposited, credited or otherwise reported to the officer's
25 campaign contribution trust account and shall be subject to the contribution limits in Section

1 1.114 of this Chapter. Nothing in this Section shall prohibit an officer from spending personal
2 funds on official or related business activities.

3 (3) Account Limits. A candidate for Mayor or the Board of Supervisors who has been
4 certified by the Ethics Commission as eligible to receive public funds under this Chapter shall
5 not, at any time, have an amount of funds greater than the candidate's Trust Account Limit in
6 his or her Campaign Contribution Trust Account.

7 (b) CAMPAIGN CONTINGENCY ACCOUNTS FOR CANDIDATES FOR MAYOR
8 AND THE BOARD OF SUPERVISORS.

9 (1) Notwithstanding any other section of this Code, including Subsection (a)(2), a
10 candidate for Mayor or the Board of Supervisors who has been certified by the Ethics
11 Commission as eligible to receive public funds under this Chapter may maintain a Campaign
12 Contingency Account separate from his or her Campaign Contribution Trust Account into
13 which he or she may deposit money contributions in anticipation of the candidate's Individual
14 Expenditure Ceiling being raised. All money contributions deposited into this account shall be
15 reported as if it were deposited into the candidate's Campaign Contribution Trust Account.

16 (2) No expenditures shall be made from a Campaign Contingency Account
17 established pursuant to this section. Funds may be transferred between a candidate's
18 Campaign Contingency Account and the candidate's Campaign Contribution Trust Account,
19 provided that the amount of funds in the candidate's Campaign Contribution Trust Account
20 does not exceed the candidate's Trust Account Limit. All funds that qualify as matching
21 contributions and are transferred from the Campaign Contingency Account to the Campaign
22 Contribution Trust Account shall be eligible to be matched with public funds in accordance
23 with the procedures set forth in this Chapter. Within ten days after the date of the election, the
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1 candidate shall turn over all funds in the Campaign Contingency Account to the Election
2 Campaign Fund.

3 SEC. 1.112. ELECTRONIC CAMPAIGN DISCLOSURE.

4 (a) FILING ELECTRONIC CAMPAIGN STATEMENTS.

5 (1) Filing Electronic Copies of Campaign Statements. Whenever any committee that
6 meets the requirements of Subsection (b) of this Section is required by ~~this Chapter or~~ the
7 California Political Reform Act (Government Code Section 81000 et seq.) to file a campaign
8 disclosure statement or report with the Ethics Commission, the committee shall file ~~at the same~~
9 ~~time a copy of~~ the statement or report in an electronic format with the Ethics Commission,
10 provided the Ethics Commission has prescribed the format at least 60 days before the
11 statement or report is due to be filed. Whenever any committee is required to file a statement or
12 report with the Ethics Commission under this Chapter, the committee shall file the statement or report
13 in an electronic format, provided the Ethics Commission has prescribed the format at least 60 days
14 before the statement or report is due to be filed.

15 (2) Continuous Filing of Electronic Statements. Once a Committee is subject to the
16 electronic filing requirements imposed by this Section, the Committee shall remain subject to
17 the electronic filing requirements, regardless of the amount of contributions received or
18 expenditures made during each reporting period, until the Committee files a termination
19 statement or is deemed terminated pursuant to this Chapter and the California Political Reform
20 Act (Government Code Section 81000 et seq.).

21 (3) Disclosure of Expenditure Dates. All electronic statements filed under this Section
22 shall include the date any expenditure required to be reported on the statement was incurred,
23 provided that the Commission's forms accommodate the reporting of such dates.

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1 (b) COMMITTEES SUBJECT TO ELECTRONIC FILING REQUIREMENTS. A
2 Committee is subject to this Section if the Committee is: either (1) required to file a statement
3 of organization under this Chapter and the California Political Reform Act (Government Code
4 Sections 81000 et seq.); ~~and (2)~~ is controlled by a candidate, or is formed or exists primarily to
5 support or oppose a candidate for City elective office, or is formed or exists primarily to support
6 or oppose a ballot measure which is being voted on only in the City and County, or is a
7 general purpose Committee active only in the City and County; and ~~(3)~~ receives contributions,
8 or makes independent expenditures, totaling \$5,000.00 or more in a calendar year; or (2) a
9 non-recipient general purpose committee that makes contributions or independent expenditures of
10 \$1,000 or more in a calendar year to support or oppose a candidate for City elective office, to support
11 or oppose a ballot measure which is being voted on only in the City and County, or to support or
12 oppose the qualification of such a measure on the ballot.

13 SEC. 1.113. DISCLOSURE REQUIREMENTS DURING SIGNATURE GATHERING
14 PERIODS FOR INITIATIVES, REFERENDA AND RECALLS.

15 (a) In order to ~~ensure that any person interested in~~ provide information about the finances of
16 ~~any~~ committees that ~~is~~ are raising or spending funds to support or oppose a measure, ~~such~~
17 committees shall file their financial disclosure documents on dates that are within the time
18 period in which signatures are gathered.

19 (b) For initiatives and recalls, campaign disclosure statements shall be filed on the
20 15th day of the signature gathering period covering days 1--10, on the 30th day covering days
21 11--25, and every 30 days thereafter for the 30-day period ending five days earlier through the
22 end of the signature-gathering period.

23 (c) For referenda, which have a 30-day signature gathering period, campaign
24 disclosure statements shall be filed on the 10th day of the period covering days 1--5, on the
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1 25th day of the period covering days 6--20, and by the 60th day after the end of the period
2 covering days 21--30.

3 (d) Otherwise, campaign statements shall be completed and filed as specified in this
4 Chapter and state law.

5 SEC. 1.135. SUPPLEMENTAL REPORTING.

6 (a) Supplemental Preelection Statements. In addition to the campaign disclosure
7 requirements imposed by the California Political Reform Act and other provisions of this
8 Chapter, all San Francisco general purpose committees shall file preelection statements
9 before any election held in the City and County of San Francisco at which a candidate for City
10 elective office or City measure is on the ballot, if the committee makes contributions or
11 *independent* expenditures totaling five hundred dollars (\$500.00) or more during the period
12 covered by the preelection statement.

13 (b) Time for Filing Supplemental Preelection Statements. *In even-numbered years,*
14 *preelection statements required by this Section shall be filed pursuant to the preelection*
15 *statement filing schedule established by the Fair Political Practices Commission for county general*
16 *purpose recipient committees. In odd-numbered years, the filing schedule is* as follows:

17 (1) For the period ending 45 days before the election, the statement shall be filed no
18 later than 40 days before the election;

19 (2) For the period ending 17 days before the election, the statement shall be filed no
20 later than 12 days before the election.

21 (c) The Ethics Commission may require that these statements be filed electronically.

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

3 By: _____
4 ANDREW SHEN
5 Deputy City Attorney

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