

1 [Campaign and Governmental Conduct Code]
2 ENACTING THE SAN FRANCISCO CAMPAIGN AND GOVERNMENTAL CONDUCT CODE,
3 ARTICLES I - V, TO: CONSOLIDATE CITY LAWS REGULATING ELECTION CAMPAIGNS,
4 LOBBYING, THE CONDUCT OF GOVERNMENT OFFICIALS AND EMPLOYEES, AND
5 PROTECTION OF WHISTLEBLOWERS WHO REPORT IMPROPER GOVERNMENT
6 ACTIVITY; CONFORM THESE LAWS TO THE CHARTER PROVISIONS CREATING THE
7 ETHICS COMMISSION; CLARIFY THAT WHISTLEBLOWERS ARE PROTECTED FROM
8 RETALIATION FOR FILING COMPLAINTS WITH, PROVIDING INFORMATION TO,
9 COOPERATING WITH, OR PARTICIPATING IN A PROCEEDING OF THE ETHICS
10 COMMISSION; CLARIFY THE PROCEDURES FOR INVESTIGATING COMPLAINTS OF
11 IMPROPER GOVERNMENT ACTIVITY; CLARIFY THAT PERSONS WHO UNLAWFULLY
12 RETALIATE AGAINST WHISTLEBLOWERS ARE SUBJECT TO ADMINISTRATIVE
13 PENALTIES AS WELL AS POSSIBLE DISCIPLINE AND CIVIL PENALTIES; PROVIDE
14 STATUTES OF LIMITATIONS; ADD LEGISLATIVE FINDINGS; REQUIRE THAT THE
15 ETHICS COMMISSION SUBMIT AN ANNUAL RATHER THAN SEMIANNUAL REPORT TO
16 THE BOARD OF SUPERVISORS REGARDING COMPLAINTS MADE BY
17 WHISTLEBLOWERS; AND REPEALING ADMINISTRATIVE CODE SECTIONS 16.5,
18 16.400 - 16.404, 16.501 - 16.519, 16.520 - 16.531, 16.535 - 16.539, 16.540 - 16.547,
19 16.548-1 – 16.548-6, 16.980, AND 58.1 – 58.600.

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Note: This entire code is new.

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

1 Section 1. The San Francisco Campaign And Governmental Conduct Code is hereby
2 enacted by enacting Articles I through III, to read as follows:

3
4 **THE SAN FRANCISCO CAMPAIGN AND GOVERNMENTAL CONDUCT CODE**

5
6 **ARTICLE I: ELECTION CAMPAIGNS**

7
8 **CHAPTER I: CAMPAIGN FINANCE**

9
10 **SEC. 1.100. PURPOSE AND INTENT.** (a) Huge sums of moneys often are
11 necessary to finance American election campaigns. Inherent to the high cost of election
12 campaigning is the problem of improper influence, real or potential, exercised by campaign
13 contributors over elected officials. In addition, this fundraising distracts public officials seeking
14 reelection from focusing upon important public matters, encourages contributions which may
15 have a corrupting influence, and gives incumbents an unfair fundraising advantage over
16 potential challengers. These developments undermine the integrity of the governmental
17 process, the competitiveness of campaigns and public confidence in local officials.

18 (b) It is the purpose and intent of the Board of Supervisors of the City and County of
19 San Francisco in enacting this Chapter to (1) place realistic and enforceable limits on the
20 amount individuals may contribute to political campaigns in municipal elections and to provide
21 full and fair enforcement of all the provisions in this Chapter; (2) ensure that all individuals and
22 interest groups in our city have a fair opportunity to participate in elective and governmental
23 processes; (3) create an incentive to limit overall expenditures in campaigns, thereby reducing
24 the pressure on candidates to raise large campaign war chests for defensive purposes
25 beyond the amount necessary to communicate reasonably with voters; (4) reduce the

1 advantage of incumbents and thus encourage competition for elective office; (5) allow
2 candidates and officeholders to spend a smaller proportion of their time on fundraising and a
3 greater proportion of their time dealing with issues of importance to their constituents'
4 community; (6) ensure that serious candidates are able to raise enough money to
5 communicate their views and positions adequately to the public, thereby promoting public
6 discussion of the important issues involved in political campaigns; (7) limit contributions to
7 eliminate or reduce the appearance or reality that large contributors may exert undue
8 influence over elected officials; and (8) help restore public trust in governmental and electoral
9 institutions.

10 (c) This Chapter is enacted in accordance with the terms of Sections 5 and 7 of
11 Article XI of the Constitution of the State of California and Section 1.101 of the Charter of the
12 City and County of San Francisco. (Amended by Ord. 114-76, App. 4/2/76; amended by
13 Proposition N, 11/7/95)

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15 **SEC. 1.102. CITATION.** This Chapter may be cited as the San Francisco Campaign
16 Finance Reform Ordinance. (Amended by Ord. 114-76, App. 4/2/76; amended by Proposition
17 N, 11/7/95)

18
19 **SEC. 1.104. DEFINITIONS.** Whenever in this Chapter the following words or phrases
20 are used, they shall mean:

21 (a) "Candidate" shall mean any individual listed on the ballot for election to any City
22 and County elective office or who otherwise has taken affirmative action to seek nomination or
23 election to such office.

24 (b) "Charitable organization" shall mean an entity exempt from taxation pursuant to
25 Title 26, Section 501 of the United State Code.

1 (c) "Committee" shall mean any person acting, or any combination of two or more
2 persons acting jointly, in behalf of or in opposition to a candidate or to the qualification for the
3 ballot or adoption of one or more measures.

4 (d) "Contribution" shall be defined as set forth in Government Code of the State of
5 California (commencing at Section 81000); provided, however, that "contribution" shall include
6 loans of any kind or nature.

7 (e) "Election" shall mean any primary, general or runoff municipal election held in
8 the City and County of San Francisco for City elective office. With respect to the offices of
9 Public Defender and Assessor, primary and general elections are separate elections for
10 purposes of this ordinance. The primary election period for these offices shall extend from
11 January 1 of the first year of an election cycle up to and including the date of the primary
12 election, and the general election period for these offices shall extend from the day following
13 the primary election up to and including December 31 of the fourth year of the election cycle.
14 With respect to the offices of Mayor, City Attorney, District Attorney, Sheriff, Treasurer and
15 Supervisor, general and runoff elections are separate elections for the purposes of this
16 ordinance. The general election period shall extend from January 1 of the first year of an
17 election cycle up to and including the date of the general election, and the runoff election
18 period shall extend from the date of the general election up to and including December 31 of
19 the fourth year of the election cycle.

20 (f) "Enforcement authority" shall mean the District Attorney of the City and County
21 of San Francisco for criminal enforcement and the City Attorney for civil enforcement. Nothing
22 in this Chapter shall be construed as limiting the authority of any law enforcement agency or
23 prosecuting attorney to enforce the provisions of this Chapter under any circumstances where
24 such law enforcement agency or prosecuting attorney otherwise has lawful authority to do so.

25 (g) "Measure" shall mean any City and County Charter amendment or other

1 election, whether by initiative, referendum or recall procedure or otherwise, or circulated for
2 purposes of submission to a popular vote at any election, whether or not the proposition
3 qualifies for the ballot.

4 (h) "Person" shall mean any individual, partnership, corporation, association, firm,
5 committee, club or other organization or group of persons, however organized.

6 (i) "City elective office" shall include and be limited to the offices of Mayor, Member
7 of the Board of Supervisors, City Attorney, District Attorney, Treasurer, Sheriff, Assessor,
8 Public Defender, Member of the Board of Education of the San Francisco Unified School
9 District and Member of the Governing Board of the San Francisco Community College District.

10 (j) "Election cycle" shall mean a four-year period preceding a term of office as
11 defined by the San Francisco Charter, beginning on January 1, and ending on December 31
12 of the fourth year thereafter.

13 (k) "Qualified campaign expenditure" for candidates includes all of the following:

14 (1) Any expenditure made by a candidate, officeholder or committee controlled by
15 the candidate or officeholder, for the purpose of influencing or attempting to influence the
16 actions of the voters for or against the election of any candidate for City elective office;

17 (2) A nonmonetary contribution provided to the candidate, officeholder or committee
18 controlled by the candidate or officeholder;

19 (3) That portion of the total cost of a slate mailing or mailing of other campaign
20 literature produced or authorized by more than one candidate which is the cost actually paid
21 or incurred by the committee or controlled committee of the candidate. (Amended by Ord.
22 361-80, App. 8/5/80; Ord. 365-94 App. 10/28/94; amended by Proposition N, 11/7/95)

23
24 **SEC. 1.106. ADOPTION OF GENERAL LAW — EXCEPTIONS.** Except as otherwise
25 provided in this Chapter, the provisions of Title 9 of Government Code of the State of

1 California (commencing at Section 81000), including the penal provisions thereof, shall be
2 applicable to any election held in the City and County of San Francisco. (Amended by Ord.
3 114-76, App. 4/2/76)

4
5 **SEC. 1.108. CAMPAIGN CONTRIBUTION TRUST ACCOUNT — ESTABLISHMENT.**

6 Each campaign treasurer shall establish a campaign contribution trust account for the
7 candidate or committee at an office of a bank located in the City and County of San Francisco,
8 the account number and branch identification of which shall be filed with the Ethics
9 Commission within 10 days of the establishment thereof. All of the expenditures by the
10 candidate or committee for the City elective office sought shall be made from that account.
11 (Amended by Ord. 114-76, App. 4/2/76; amended by Proposition N, 11/7/95; Ord. 386-95,
12 App. 12/14/95)

13
14 **SEC. 1.110. CAMPAIGN STATEMENTS — PUBLIC INSPECTION AND**
15 **COPYMAKING.** Campaign statements are to be open for public inspection and reproduction
16 at the office of the Ethics Commission during regular business hours and from 10:00 a.m. to
17 5:00 p.m. on the Saturday preceding an election. (Amended by Ord. 114-76, App. 4/2/76;
18 Ord. 386-95, App. 12/14/95)

19
20 **SEC. 1.112. CAMPAIGN STATEMENTS — RETENTION.** Every campaign statement
21 required to be filed in accordance with Section 1.106 shall be preserved by the Ethics
22 Commission for at least four years from the date upon which it was required to be filed under
23 the terms of this Chapter. (Amended by Ord. 114-76, App. 4/2/76; Ord. 386-95, App.
24 12/14/95)

1 **SEC. 1.114. CAMPAIGN CONTRIBUTIONS — LIMITATIONS.** (a) No person other
2 than a candidate shall make, and no campaign treasurer shall solicit or accept, any
3 contribution which will cause the total amount contributed by such person with respect to a
4 single election in support of or opposition to such candidate, including contributions to political
5 committees supporting or opposing such candidate, to exceed \$150.

6 (b) For candidates who adopt the expenditure ceilings as defined in Section 1.128
7 of this Chapter, no person other than a candidate shall make, and no campaign treasurer shall
8 solicit or accept, any contribution which will cause the total amount contributed by such
9 person with respect to a single election in support of or opposition to such candidate, including
10 contributions to political committees supporting or opposing such candidate, to exceed \$500.

11 (c) Each campaign treasurer who receives a contribution which exceeds the limit
12 imposed by this Section shall pay promptly, from available campaign funds, if any, the amount
13 received in excess of the amount permitted by this Section to the City Treasurer for deposit in
14 the General Fund of the City and County.

15 (d) A contribution shall not be considered to be received if it is not negotiated,
16 deposited, or utilized, and in addition it is returned to the donor within 72 hours of receipt. In
17 the case of a late contribution as defined in Government Code Section 82036, it shall not be
18 deemed received if it is returned to the contributor within 48 hours of receipt.

19 (e) This Section shall not apply to any in-kind contribution of television or radio
20 airtime to any candidate or committee granted to said candidate or committee pursuant to the
21 "Fairness Doctrine" articulated in Cullman Broadcasting, 40 FCC 576 (1963). (Amended by
22 Ord. 79-83, App. 2/18/83; amended by Proposition N, 11/7/95)

23
24 **SEC. 1.116. LIMITS ON CONTRIBUTIONS TO CONTROLLED COMMITTEES.**

25 (a) No person other than a candidate or elected City and County officer shall make,

1 and no controlled committee treasurer shall solicit or accept, any contribution which will cause
2 the total amount contributed by such person to a controlled committee of the candidate or
3 elected City and County officer to exceed \$500.

4 (b) If any person is found guilty of violating the terms of this Section, each controlled
5 committee treasurer who received part or all of the contribution or contributions which
6 constitute the violation shall pay promptly, from available campaign funds, if any, the amount
7 received from such person in excess of the amount permitted by this Section to the City and
8 County Treasurer for deposit in the General Fund of the City and County.

9 (c) This Section shall not apply to any in-kind contribution of radio or television
10 airtime to any controlled committee granted to said candidate or committee pursuant to the
11 "Fairness Doctrine." (Added by Ord. 365-94, App. 10/28/94)

12
13 **SEC. 1.118. MUNICIPAL RUN-OFF ELECTION.** All provisions of this Chapter, unless
14 specified otherwise herein, shall be applicable in any municipal run-off for any City and
15 County office. In addition, the following provisions shall be applicable in any such municipal
16 run-off election:

17 (a) No person other than a candidate shall make, and no campaign treasurer shall
18 solicit or accept, any contribution which will cause the total amount contributed by such
19 person in the municipal run-off election in support of or opposition to such candidate, including
20 contributions to political committee supporting or opposing such candidate, to exceed \$100.

21 (b) For candidates who adopt the expenditure ceilings as defined in Section 1.128
22 of this Chapter, no person other than a candidate shall make, and no campaign treasurer shall
23 solicit or accept, any contribution which will cause the total amount contributed by such
24 person in the municipal run-off election in support of or opposition to such candidate, including
25 contributions to political committee supporting or opposing such candidate, to exceed \$250.

1 (c) Each campaign treasurer who receives a contribution which exceeds the limit
2 imposed by this Section shall pay promptly, from available campaign funds, if any, the amount
3 received in excess of the amount permitted by this Section to the City Treasurer for deposit in
4 the General Fund of the City and County.

5 (d) No person shall make, and no campaign treasurer shall solicit or accept, any
6 contribution in connection with a run-off election for a City elective office until the day following
7 the date of the general election for that office.

8 (e) The amount a person may contribute in support of or opposition to a candidate
9 in connection with a run-off election shall be controlled solely by the limits imposed by this
10 Section without regard to the amount said person contributed in support of or opposition to the
11 candidate in the general election.

12 (f) Any candidate who qualifies for a run-off election may utilize unexpended
13 campaign funds from the general election campaign for the run-off election, provided that the
14 applicable expenditure ceilings shall continue to apply.

15 (g) A contribution shall not be considered to be received if it is not negotiated,
16 deposited, or utilized, and in addition it is returned to the donor within 72 hours of receipt. In
17 the case of a late contribution as defined in Government Code Section 82036, it shall not be
18 deemed received if it is returned to the contributor within 48 hours of receipt. (Amended by
19 Ord. 174-80, App. 5/2/80; amended by Proposition N, 11/7/95)

20
21 **SEC. 1.120. POST-ELECTION LEGAL PROCEEDINGS.** All provisions of this
22 Chapter, unless specified otherwise herein, shall be applicable in any post-election recounts,
23 election contests or other proceedings held pursuant to law. In addition, the following
24 provisions shall be applicable in any such post-election legal proceedings:

25 (a) No person other than a candidate shall make, and no campaign treasurer shall

1 solicit or accept, any contribution which will cause the total amount contributed by such
2 person in post-election legal proceedings in support of or opposition to candidates, including
3 contributions to political committees supporting or opposing such candidate, to exceed, in
4 addition to the contribution limit contained in Sections 1.114 and 1.118, \$100.

5 (b) Notwithstanding any other provision of this Chapter to the contrary, for the
6 purposes of conducting post-election recounts, election contests or other proceedings held
7 pursuant to law, the delivery of in-kind legal services by lawyers in support of or in opposition
8 to candidates, including in-kind contributions to political committees supporting or opposing
9 candidates, shall not be subject to any contribution limitations set forth in this Chapter.

10 (c) If any person is found guilty of violating the terms of this Section, each campaign
11 treasurer who received part or all of the contribution or contributions which constitute the
12 violation shall pay promptly, from available campaign funds, if any, the amount received from
13 such person in excess of the amount permitted by this Section to the City and County
14 Treasurer for deposit in the General Fund of the City and County. (Added by Ord. 81-83, App.
15 2/25/83)

16
17 **SEC. 1.122. SOLICITATION OR ACCEPTANCE OF CAMPAIGN CONTRIBUTIONS**

18 — **LIMITATIONS.** No intended candidate for any public office of the City and County, and no
19 committee acting on behalf of a candidate, shall solicit or accept, or cause to be solicited or
20 accepted, any contribution unless and until said candidate shall have filed a declaration of
21 intention to become a candidate for a specific City and County office with the Department of
22 Elections on a form to be prescribed by the Director of Elections; provided, however, that in
23 any election in which members of the Board of Supervisors are elected by votes cast in a
24 district, the office of a member of the Board of Supervisors shall be deemed to be a specific
25 office of the City and County.

1 No person shall file a declaration of intention to become a candidate for more than one
2 elective office of said City and County. For the purposes of this Section a committee acting
3 on behalf of a candidate need not be controlled by or acting under the authorization of the
4 candidate.

5 Except as provided below, any contributions solicited or accepted under this Section
6 shall be expended only on behalf of the candidacy for the office specified in said declaration of
7 intention to become a candidate. Contributions solicited or accepted under this Section for
8 one individual shall not be expended for the candidacy of any other individual or in support of
9 or opposition to any measure. If an individual ceases to be a candidate or fails to qualify
10 under the provisions of the Charter for an office for which contributions have been solicited or
11 accepted, then all unexpended contributions shall be returned on a pro rata basis to those
12 persons who have made said contributions or donated to the General Fund of the City and
13 County of San Francisco.

14 Unexpended contributions held by a candidate or committee after the date of the
15 election in which said candidate or measure appeared on the ballot may be returned on a pro
16 rata basis to those persons who have made said contributions, donated to a charitable
17 organization, donated to the General Fund of the City and County of San Francisco, or as
18 contributions to a candidate or a committee acting on behalf of a candidate, transferred to any
19 legally constituted committee established by or on behalf of the candidate, pursuant to the
20 provisions of Government Code of the State of California (commencing at Section 81000).
21 (Amended by Ord. 80-83, App. 2/18/83; Ord. 224-96, App. 6/7/96)

22
23 **SEC. 1.124. PERSONS PROHIBITED FROM MAKING CONTRIBUTIONS IN THE**
24 **NAME OF ANOTHER.** (a) No contribution of \$100 or more other than an in-kind contribution
25 shall be made unless by written instrument containing the name of the donor and the name of

1 the payee.

2 (b) No contribution shall be made, directly or indirectly, by any person in a name
3 other than the name by which such person is identified for legal purposes.

4 (c) Any candidate who receives a contribution made in violation of this Section shall
5 pay promptly, from available campaign funds, the amount of the contribution to the City
6 Treasurer for deposit in the General Fund of the City and County. (Added by Proposition N,
7 11/7/95)

8
9 **SEC. 1.126. CONTRACTORS DOING BUSINESS WITH THE CITY PROHIBITED**
10 **FROM MAKING CONTRIBUTIONS.** No person who contracts with the City and County of
11 San Francisco, for the rendition of personal services, for the furnishing of any material,
12 supplies or equipment to the City, or for selling any land or building to the City, whenever such
13 transaction would require approval by a City elective officer, or the board on which that City
14 elective officer serves, shall make any contribution to such an officer, or candidate for such an
15 office, or committee controlled by such officer or candidate at any time between
16 commencement of negotiations and either the completion of, or the termination of,
17 negotiations for such contract. (Added by Proposition N, 11/7/95)

18
19 **SEC. 1.128. EXPENDITURE CEILINGS.** All candidates for City elective office who
20 adopt campaign expenditure ceilings as defined below are permitted the higher contribution
21 limits as defined in Sections 1.114(b) and 1.118(b). Before accepting any contributions at the
22 higher contribution limits, candidates who adopt voluntary expenditure ceilings must first file a
23 statement with the Department of Elections indicating acceptance of the expenditure ceiling.
24 Said statement shall be filed no later than the deadline for filing nomination papers with the
25 Department of Elections, and once filed may not be withdrawn. This statement is a public

1 document.

2 The Department of Elections shall cause to be published in the Voter Information
3 Pamphlet, on the same page as appears the candidate's statement of qualifications, a notice
4 informing voters whether the candidate has adopted the voluntary expenditure ceiling.

5 (Added by Proposition N, 11/7/95)

6 **[Editor's Note: Prior to the adoption of the 1996 Charter, the "Department of Elections"**
7 **was called the "Registrar of Voters." References to the "Registrar of Voters" have**
8 **been changed to reflect the new name.]**

9
10 **SEC. 1.130. AMOUNT OF EXPENDITURE CEILINGS.** (a) In primary elections, any
11 candidate for Assessor or Public Defender who agrees to expenditure ceilings shall not make
12 total qualified campaign expenditures exceeding \$175,000. In general elections, any
13 candidate for Assessor or Public Defender who agrees to expenditure limits shall not make
14 total qualified campaign expenditures exceeding \$100,000.

15 (b) In general elections, any candidate for Mayor who agrees to expenditure ceilings
16 shall not make total qualified campaign expenditures exceeding \$600,000. In run-off
17 elections, any candidate for Mayor who agrees to expenditure limits shall not make total
18 qualified campaign expenditures exceeding \$400,000.

19 (c) In general elections, any candidate for City Attorney, District Attorney, Treasurer
20 or Sheriff who agrees to expenditure ceilings shall not make total qualified campaign
21 expenditures exceeding \$175,000. In run-off elections, any candidate for City Attorney,
22 District Attorney, Treasurer or Sheriff who agrees to expenditure limits shall not make total
23 qualified campaign expenditures exceeding \$100,000.

24 (d) In general elections, any candidate for the Board of Supervisors who agrees to
25 expenditure ceilings shall not make total qualified campaign expenditures exceeding \$75,000.

1 In run-off elections, any candidate for the Board of Supervisors who agrees to expenditure
2 limits shall not make total qualified campaign expenditures exceeding \$20,000.

3 (e) Any candidate for the Board of Education of the San Francisco Unified School
4 District or the Governing Board of the San Francisco Community College District who agrees
5 to expenditure ceilings shall not make total qualified campaign expenditures exceeding
6 \$75,000.

7 (f) The Ethics Commission is authorized to adjust annually the expenditure ceilings
8 imposed by this Section to reflect the change in the California Consumer Price Index for that
9 year. (Added by Proposition N, 11/7/95)

10
11 **SEC. 1.132. TIME PERIODS FOR EXPENDITURES.** (a) For purposes of the
12 expenditure ceilings for the offices of Assessor and Public Defender, qualified campaign
13 expenditures made at any time on or before the date of the primary shall be considered
14 primary election expenditures, and qualified expenditures made after date of the primary
15 election shall be considered general election expenditures. However, in the event that
16 payments are made but the goods or services are not used during the period purchased, the
17 payments shall be considered qualified campaign expenditures for the time period in which
18 they are used. Payments for goods or services used during both time periods shall be
19 prorated.

20 (b) For purposes of the expenditure ceilings for the offices of City Attorney, District
21 Attorney, Treasurer, Sheriff and Supervisor, qualified campaign expenditures made at any
22 time before the general election shall be considered general election expenditures, and
23 qualified expenditures made after the general election shall be considered run-off election
24 expenditures. However, in the event that payments are made but the goods or services are
25 not used during the period purchased, the payments shall be considered qualified campaign

1 expenditures for the time period in which they are used. Payments for goods or services used
2 during both time periods shall be prorated. (Added by Proposition N, 11/7/95)

3
4 **SEC. 1.134 EXPENDITURE CEILINGS LIFTED.** (a) If a candidate declines to accept
5 expenditure ceilings and receives contributions or makes qualified campaign expenditures in
6 excess of 50 percent of the applicable expenditure ceiling, or if an independent expenditure
7 committee or committees in the aggregate spend in support of or in opposition to a candidate
8 more than 25 percent of the applicable expenditure ceiling, the applicable expenditure limit
9 shall no longer be binding on any candidate seeking election to the same office, and any
10 candidate running for the same office who accepted expenditure limits shall be permitted to
11 continue to receive contributions at the amount set for such candidates in Section 1.114(b) or
12 1.118(b).

13 (b) Any candidate who declines to adopt the voluntary expenditure ceiling and who
14 receives contributions, makes expenditures or has funds in his campaign trust account that
15 exceed 50 percent of the applicable expenditure ceiling shall, within 24 hours of exceeding 50
16 percent of the applicable expenditure ceiling, file a statement with the Ethics Commission, on
17 forms to be provided by the Ethics Commission, stating that fact and any additional
18 information required by the Ethics Commission. Within 24 hours after receiving such notice,
19 the Ethics Commission shall inform every other candidate for that office by registered mail,
20 return receipt requested, that the campaign ceiling has been lifted.

21 (c) Any independent expenditure committee that spends in support of or in
22 opposition to a candidate more than 25 percent of the applicable expenditure ceiling shall,
23 within 24 hours of reaching this threshold, file a statement with the Ethics Commission, on
24 forms to be provided by the Ethics Commission, stating that fact and any additional
25 information required by the Ethics Commission. Thereafter, any such committee shall file a

1 supplemental statement with the Ethics Commission each time the independent expenditure
2 committee spends in support of or in opposition to such candidate an additional 5 percent of
3 the applicable expenditure ceiling. The supplemental statements shall be filed within 24 hours
4 of reaching these spending thresholds. (Added by Proposition N, 11/7/95)

5
6 **SEC. 1.136. INDEPENDENT EXPENDITURES FOR MASS MAILINGS, SLATE**
7 **MAILINGS OR OTHER CAMPAIGN LITERATURE.** Any person who makes independent
8 expenditures for a mass mailing, slate mailing or other campaign materials which support or
9 oppose any candidate for City elective office shall place the following statement on the mailing
10 or materials in typeface no smaller than 14 points:

11
12 Notice to Voters

13 (Required by City and County of
14 San Francisco)

15 This mailing is not authorized or approved
16 by any candidate for City and County office
17 or by any election official.

18 It is paid for by
19 (name and committee identification
20 number).

21 (address, city, state).

22 Total cost of this mailing is (amount)

23 (Added by Proposition N, 11/7/95)

1 **SEC. 1.138 DUTIES OF ETHICS COMMISSION.** In addition to other duties required
2 under the Charter and the terms of this Chapter, the Ethics Commission shall:

3 (a) Prepare and publish written instructions explaining the duties of persons,
4 candidates and committees under this Chapter.

5 (b) Determine whether required statements and declarations have been filed with
6 the Ethics Commission, and, if so, whether they conform on their face with the requirements
7 of this Chapter.

8 (c) Notify promptly all persons, candidates and committees known to the Ethics
9 Commission who have failed to file a statement in the form and at the time required by
10 Section 1.106 hereof.

11 (d) Report apparent violations of this Chapter to the District Attorney.

12 (e) Compile and maintain a current list of all statements or parts of statements filed
13 with the Ethics Commission pertaining to each candidate and each measure.

14 (f) Cooperate with the District Attorney in the performance of the duties of the
15 District Attorney as they are related to this Chapter.

16 (g) Enforce or cause to be enforced the provisions of this Chapter.

17 (h) Prepare and publish adequate procedures to notify all persons, candidates and
18 committees in advance relative to filing dates and forms required by Section 1.106 hereof.

19 (Amended by Ord. 292-76, App. 7/17/76; Ord. 386-95, App. 12/14/95)
20

21 **SEC. 1.140. DUTIES OF ENFORCEMENT AUTHORITY.** In addition to the other
22 duties required of him or her under the provisions of this Chapter, the enforcement authority
23 for civil enforcement shall review such campaign statements filed with the Ethics Commission
24 as the Commission shall refer to him or her for legal compliance with the provisions of this
25 Chapter. (Amended by Ord. 361-80, App. 8/5/80; Ord. 386-95, App. 12/14/95)

1 **SEC. 1.142. DISTRICT ATTORNEY — COMPLAINTS, LEGAL ACTION,**
2 **INVESTIGATORY POWERS, CITY ATTORNEY ADVICE.** (a) Any person who believes that
3 a violation of any portion of this Chapter has occurred may file a complaint with the District
4 Attorney. If the District Attorney determines that there is reason to believe a violation of this
5 Chapter has occurred, he or she shall make an investigation. Whenever the District Attorney
6 has reason to believe a willful violation of this Chapter has occurred or is about to occur, he or
7 she may institute such legal action at such time as he or she deems necessary to prevent
8 further violations.

9 (b) The District Attorney shall have such investigative powers as are necessary for
10 the performance of the duties prescribed in this Chapter and may demand, and be furnished,
11 records of campaign contributions and expenses at any time.

12 (c) Any person may request the City Attorney for advice with respect to any
13 provision of this Chapter. The City Attorney shall within 14 days of the receipt of said written
14 request provide the advice in writing or advise the person who made the request that no
15 opinion will be issued. The City Attorney shall send a copy of said request to the District
16 Attorney upon its receipt.

17 (d) The City Attorney shall within nine days from the date of the receipt of said
18 written request send a copy of his or her proposed opinion to the District Attorney. The
19 District Attorney shall within four days inform the City Attorney whether he or she agrees with
20 said advice, or state the basis for his or her disagreement with the proposed advice.

21 (e) No person other than the City Attorney who acts in good faith on the advice of
22 the City Attorney shall be subject to criminal or civil penalties for so acting; provided that, the
23 material facts are stated in the request for advice and the acts complained of were committed
24 either in reliance on the advice or because of the failure of the City Attorney to provide advice
25 within 14 days of the request or such later extended time. (Amended by Ord. 361-80, App.

1 8/5/80)

2
3 **SEC. 1.144. PENALTIES.** (a) Any person who knowingly or willfully violates any
4 provision of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall
5 be punished by a fine of not more than \$500 or by imprisonment in the County jail for a period
6 of not more than six months or by both such fine and imprisonment; provided, however, that
7 any willful or knowing failure to report contributions or expenditures done with intent to
8 mislead or deceive or any willful or knowing violation of the provisions of Section 1.114 or
9 Section 1.118 of this Chapter shall be punishable by a fine of not less than \$500 or three
10 times the amount not reported or the amount received in excess of the amount allowable
11 pursuant to Section 1.114 or Section 1.118 of this Chapter, or three times the amount
12 expended in excess of the amount allowable pursuant to Section 1.130, whichever is greater.

13 (b) Any person who intentionally or negligently violates any of the reporting
14 requirements or contribution or expenditure limitations set forth in this Chapter shall be liable
15 in a civil action brought by the civil prosecutor for an amount up to \$500 or three times the
16 amount not reported or the amount received in excess of the amount allowable pursuant to
17 Section 1.114 or Section 1.118, or three times the amount expended in excess of the amount
18 allowable pursuant to Section 1.130, whichever is greater. (Amended by Ord. 361-80, App.
19 8/5/80; amended by Proposition N, 11/7/95)

20
21 **SEC. 1.146. EFFECT OF VIOLATION ON OUTCOME OF ELECTION.** If a candidate
22 is convicted of a violation of this Chapter at any time prior to his or her election his or her
23 candidacy shall be terminated immediately and he or she shall be no longer eligible for
24 election, unless the court at the time of sentencing specifically determines that this provision
25 shall not be applicable.

1 No person convicted of a misdemeanor under this Chapter after his or her election
2 shall be a candidate for any other City and County office for a period of five years following
3 the date of the conviction unless the court shall at the time of sentencing specifically
4 determine that this provision shall not be applicable.

5 A plea of nolo contendere shall be deemed a conviction for purposes of this Section.
6 (Amended by Ord. 361-80, App. 8/5/80)

7
8 **SEC. 1.148. EFFECT OF VIOLATION ON CERTIFICATION OF ELECTION**

9 **RESULTS.** The Director of Elections shall not issue any certificate of nomination or election
10 to any candidate until his or her campaign statements required in Section 1.106 have been
11 filed. (Amended by Ord. 114-76, App. 4/2/76)

12
13 **SEC. 1.150. RULES OF CONSTRUCTION.** This Chapter shall be construed liberally
14 in order to effectuate its purposes. No error, irregularity, informality, neglect or omission of
15 any officer in any procedure taken under this Chapter which does not directly affect the
16 jurisdiction of the Board of Supervisors or the City and County to control campaign
17 contributions shall avoid the effect of this Chapter. (Amended by Ord. 114-76, App. 4/2/76)

18
19 **SEC. 1.152. SEVERABILITY.** If any provision of this Chapter, or the application
20 thereof to any person or circumstance, is held invalid, the validity of the remainder of the
21 Chapter and the applicability of such provisions to other persons and circumstances shall not
22 be affected thereby. (Amended by Ord. 114-76, App. 4/2/76)

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CHAPTER 2:

PROHIBITION ON MULTIPLE CAMPAIGN ACCOUNTS

SEC. 1.200. PROHIBITION ON MULTIPLE CAMPAIGN ACCOUNTS. An officer of the City and County of San Francisco, or any person or committee on behalf of an officer of the City and County of San Francisco, is hereby prohibited from establishing any account, other than a campaign fund, for the solicitation and expenditure of funds. Nothing in this section shall prohibit an officer from spending personal funds on official or related business activities.

(a) An account established by an officer or on behalf of an officer of the City and County of San Francisco is defined as any account used to pay expenses incurred directly in connection with carrying out the usual and necessary duties of holding office, including but not limited to, travel between an officer's residence and public office, meetings with constituents which are not campaign related meetings, salary payments to staff for other than campaign activities, office promotional materials, advertising, mailings, postage, and paid radio or television airtime.

(b) Any and all monies, services, rewards, gifts or anything of monetary value, accepted or received by an officer or on behalf of an officer, except monies, services, rewards, gifts or anything of monetary value accepted or received from or as a result of the officer's personal or business activities, unrelated to his or her office, shall be deposited, credited or otherwise reported to a campaign fund established by the officer and shall be subject to the provisions contained in Section 1.114 of this Code.

(c) This Section shall not be applied retroactively. Funds held in officeholder accounts, or accounts on behalf of any officer, existing on November 2, 1993, may be expended on official or business related activities notwithstanding this Section. No further

1 deposits, transfer, credits or other additions to the balance of the account shall be made.
2 Upon depletion of all available funds in the officer's account, the account shall be closed.

3 **[Editor's Note: This Chapter, which was adopted by the San Francisco voters on**
4 **November 2, 1993, was formerly codified as Section 8 of Appendix K to the 1932**
5 **Charter.]**

7 **CHAPTER 3: CAMPAIGN DISCLOSURE**

8
9 **SEC.1.300. FINDINGS AND PURPOSE.** (a) State and local law require candidates,
10 persons supporting or opposing ballot measures and certain other types of committees to file
11 campaign finance statements with the Ethics Commission detailing the sources of their
12 contributions and how they have expended those contributions. The purpose of these laws is
13 to assist voters in making informed electoral decisions. These laws also assist to ensure
14 compliance with campaign contribution laws.

15 (b) Frequently, these disclosure reports are extremely lengthy. Moreover, literally
16 hundreds of such reports are filed with the Ethics Commission each reporting period. It is
17 extremely difficult for members of the public, the media and election officials efficiently to
18 review and compare these statements,

19 (c) The Board of Supervisors finds that requiring political committees that meet
20 certain financial thresholds to file copies of their campaign statements on computer diskettes
21 or other designated electronic media will further the purposes of campaign finance disclosure
22 laws. (Added by Ord. 131-93, App. 5/17/93)

23
24 **SEC.1.305. DEFINITIONS.** Whenever in this Chapter the following words or phrases
25 are used, they shall mean:

1 (a) "Candidate" shall be defined as set forth in the California Political Reform Act
2 (Government Code Sections 81000 *et seq.*), provided that the term "candidate" shall be
3 limited to candidates for City and County office.

4 (b) "Committee" shall mean any persons or group of persons which:

5 (1) Is required to file a statement of organization under California Political Reform
6 Act (Government Code Sections 81000 *et seq.*); and

7 (2) Is controlled by a candidate, or is formed or existing primarily to support or
8 oppose a candidate, or is formed or existing primarily to support or oppose a ballot measure
9 which is being voted on only in the City and County, or is a general purpose committee active
10 only in the City and County; and

11 (3) Receives contributions, or makes independent expenditures, totaling \$5,000 or
12 more in a calendar year.

13 (c) "Contribution" shall be defined as set forth in the California Political Reform Act
14 (Government Code Sections 81000 *et seq.*).

15 (d) "General Purpose Committee" shall be defined as set forth in the California
16 Political Reform Act (Government Code Section 81000 *et seq.*).

17 (e) "Independent expenditure" shall be defined as set forth in the California Political
18 Reform Act (Government Code Sections 81000 *et seq.*). (Added by Ord. 131-93, App.
19 5/17/93)

20
21 **SEC. 1.310. FILING OF CAMPAIGN STATEMENTS.** Whenever any elected City and
22 County officer, candidate or committee is required by California Political Reform Act
23 (Government Code Section 81000 *et seq.*) to file a semi-annual campaign statement, a
24 preelection campaign statement or a supplemental preelection campaign statement with the
25 Ethics Commission, the elected officer, candidate or committee shall file at the same time a

1 copy of the report on a computer diskette, or other electronic media, in a format prescribed by
2 the Ethics Commission, provided the Ethics Commission has prescribed the format at least 60
3 days before the statement or report is due to be filed. (Added by Ord. 131-93, App. 5/17/93)
4

5 **SEC. 1.315. PENALTIES FOR LATE FILING.** Any person who files an electronic
6 copy of a statement or report required by this Chapter after the deadline imposed by the
7 California Political Reform Act (Government Code Section 81000 et seq.) for filing the written
8 copy of the statement or report shall be liable in the same amount and on the same terms as
9 set forth in the Act for the late filing of the written copy of the campaign statement or report.
10 (Added by Ord. 131-93, App. 5/17/93)
11

12 **SEC. 1.320. SEVERABILITY.** The provisions of this Chapter are declared to be
13 separate and severable. The invalidity of any clause, sentence, paragraph, subdivision,
14 section, or portion of this Chapter, or the invalidity of the application thereof to any person or
15 circumstances, shall not affect the validity of the remainder of this Chapter, or the validity of its
16 application to other persons or circumstances. (Added by Ord. 131-93, App. 5/17/93)
17

18 **CHAPTER 4:**

19 **PROHIBITION ON FALSE ENDORSEMENTS ON CAMPAIGN LITERATURE**

20
21 **SEC. 1.400. PURPOSE.** Campaign literature that falsely represents the
22 endorsement of current and former public officials, candidates, political clubs, and
23 organizations has been distributed in recent local elections. These false representations
24 undermine the integrity of the electoral process by misleading and confusing voters about the
25 actual support for or opposition to candidates or ballot measures. It is too burdensome for

1 individual voters, inundated with campaign messages, to verify the accuracy of such claims
2 and for persons whose positions are misrepresented to correct the misrepresentations.
3 Prohibiting knowingly false representations in campaign literature during the limited period
4 when effectively responding to them is most difficult will serve the City's paramount interest in
5 ensuring the integrity of the electoral process. (Added by Ord. 83-99, File No. 981596, App.
6 4/23/99)

7
8 **SEC. 1.405. DEFINITIONS.** For purposes of this Chapter, the following definitions
9 apply:

10 (a) Campaign literature. The term "campaign literature" includes but is not limited to
11 any flyer, doorhanger, pamphlet, brochure, card, billboard, or advertisement urging support for
12 or opposition to one or more candidates or ballot measures. The term "campaign literature"
13 does not include bumper stickers, pins, stickers, hat bands, badges, ribbons and other similar
14 campaign memorabilia.

15 (b) Candidate. The term "candidate" has the same meaning as in section 1.104(a)
16 of this Code.

17 (c) Civil enforcement authority. The term "civil enforcement authority" shall have
18 the same meaning as in section 1.104(f) of this Code.

19 (d) Measure. The term "measure" has the same meaning as in section 1.104(g) of
20 this Code.

21 (e) Person. The term "person" has the same meaning as in section 1.104(k) of this
22 Code.

23 (f) Sponsor. The term "sponsor" means to pay for, direct, supervise or authorize
24 the production of campaign literature.

25 (g) Voter. The term "voter" means a voter registered to vote in San Francisco.

1 (Added by Ord. 83-99, File No. 981596, App. 4/23/99)

2
3 **SEC. 1.410. DISTRIBUTION OF CAMPAIGN LITERATURE CONTAINING FALSE**
4 **ENDORSEMENT PROHIBITED.** No person may sponsor any campaign literature that is
5 distributed within 90 days prior to an election and that contains a false endorsement, where
6 the person acts with knowledge of the falsity of the endorsement or with reckless disregard for
7 the truth or falsity of the endorsement. A false endorsement is a statement, signature,
8 photograph, or image representing that a person endorses support of or opposition to a
9 candidate or measure when in fact the person does not endorse support of or opposition to
10 the candidate or measure as stated or implied in the campaign literature. (Added by Ord. 83-
11 99, File No. 981596, App. 4/23/99)

12
13 **SEC. 1.415. RESTRAINING ORDER OR INJUNCTION.** The civil enforcement
14 authority, or any voter, may bring a civil action for injunctive relief against the publication,
15 printing, circulation, or posting of campaign literature that violates Section 1.410. No voter
16 may commence an action under this section without first providing written notice to the civil
17 enforcement authority of intent to commence an action. A Court may award reasonable
18 attorney's fees and costs to any voter who obtains injunctive relief under this section. If the
19 Court finds that an action brought by a voter under this section is frivolous, the Court may
20 award the defendant reasonable attorney's fees and costs. (Added by Ord. 83-99, File No.
21 981596, App. 4/23/99)

22
23 **SEC. 1.420. PENALTIES.** Any person who violates Section 1.410 shall be liable in a
24 civil action brought by the civil enforcement authority for an amount up to \$5,000. (Added by
25 Ord. 83-99, File No. 981596, App. 4/23/99)

1
2 **SEC. 1.425. SEVERABILITY.** The invalidity of any clause, sentence, paragraph,
3 subdivision, section, or portion of this Chapter, or the invalidity of the application thereof to
4 any person or circumstances, shall not affect the validity of the remainder of this Chapter or
5 the validity of its application to other persons or circumstances. (Added by Ord. 83-99, File
6 No. 981596, App. 4/23/99)

7
8 **CHAPTER 5: REGULATION OF CAMPAIGN CONSULTANTS**

9
10 **SEC. 1.500. FINDINGS.** (a) The City and County of San Francisco has a paramount
11 interest in protecting the integrity and credibility of its electoral and government institutions.
12 Election campaigns are highly competitive in San Francisco, and candidates frequently
13 contract for the services of professional campaign consultants who specialize in guiding and
14 managing campaigns.

15 (b) It is the purpose and intent of the people of the City and County of San
16 Francisco in enacting this Chapter to impose reasonable registration and disclosure
17 requirements on campaign consultants. Required registration and disclosure of information by
18 campaign consultants will assist the public in making informed decisions, and protect public
19 confidence in the electoral and governmental processes. (Added by Proposition G, 11/4/97)

20
21 **SEC. 1.505. DEFINITIONS.** Whenever used in this Chapter, the following definitions
22 shall apply:

23 (a) "Campaign consultant" means any person or entity that receives or is promised
24 economic consideration equaling \$1,000 or more in a calendar year for campaign consulting
25 services. The term "campaign consultant" includes any person or entity that subcontracts with

1 a campaign consultant to provide campaign consulting services, and that receive or are
2 promised economic consideration equaling \$1,000 or more in a calendar year for providing
3 campaign consulting services. The term "campaign consultant" does not include persons who
4 are employees of a campaign consultant, attorneys who provide only legal services,
5 accountants who provide only accounting services, pollsters who provide only polling
6 services, and treasurers who provide only those services which are required of treasurers by
7 the Political Reform Act, California Government Code Section 81000, et seq.

8 (b) "Campaign consulting services" means participating in campaign management
9 or developing or participating in the development of campaign strategy.

10 (c) "Campaign management" means conducting, coordinating or supervising a
11 campaign to elect, defeat, retain or recall a candidate, or adopt or defeat a measure, including
12 but not limited to hiring or authorizing the hiring of campaign staff and consultants, spending
13 or authorizing the expenditure of campaign funds, directing, supervising or conducting the
14 solicitation of contributions to the campaign, and selecting or recommending vendors or
15 subvendors of goods or services for the campaign.

16 (d) "Campaign strategy" means plans for the election, defeat, retention or recall of a
17 candidate, or for the adoption or defeat of a measure, including but not limited to producing or
18 authorizing the production of campaign literature and print and broadcast advertising, seeking
19 endorsements of organizations or individuals, seeking financing, or advising on public policy
20 positions.

21 (e) "Candidate" means a person who has taken affirmative action to seek
22 nomination or election to local office, a local officeholder who has taken affirmative action to
23 seek nomination or election to any elective office, or a local officeholder who is the subject of
24 a recall election.

25 (f) "Economic consideration" means any payments, fees, commissions,

1 reimbursements for expenses, gifts, or anything else of value.

2 (g) "Lobby" means communicate with a local officeholder for the purpose of
3 influencing local legislative or administrative action in exchange for economic consideration.

4 (h) "Lobbyist" is defined in Article II of this Code.*

5 (i) "Local office" means the following elective offices in the City and County of San
6 Francisco: Mayor, Board of Supervisors, City Attorney, District Attorney, Treasurer, Sheriff,
7 Assessor, Public Defender, Board of Education of the San Francisco Unified School District,
8 and Governing Board of the San Francisco Community College District.

9 (j) "Measure" means a local referendum or local ballot measure, whether or not it
10 qualifies for the ballot.

11 (k) "Vendor" means a person or entity who sells goods or services, other than
12 campaign consulting services, including but not limited to printing, catering, and transportation
13 services. The term "vendor" does not include attorneys who provide only legal services,
14 accountants who provide only accounting services, pollsters who provide only polling
15 services, and treasurers who provide only those services which are required of treasurers by
16 the Political Reform Act, California Government Code Section 81000 et seq. (Added by
17 Proposition G, 11/4/97)

18 ***[Editor's Note: The Regulation of Lobbyists Ordinance, which was previously**
19 **codified at Administrative Code Section 16.520, et seq., is now codified in Article II of**
20 **this Code.]**

21
22 **SEC. 1.510. PROHIBITIONS.** It shall be unlawful for any campaign consultant to
23 provide campaign consulting services, or accept any economic consideration for the provision
24 of campaign consulting services, without first registering with the Ethics Commission and
25 complying with the reporting requirements specified in Section 1.515. (Added by Proposition

1 G, 11/4/97)

2
3 **SEC. 1.515. REGISTRATION, REREGISTRATION, REPORTING, AND FEES.**

4 (a) REGISTRATION REPORTS. At the time of initial registration, each campaign
5 consultant shall report to the Ethics Commission the following information:

6 (1) The name, business address and business phone number of the campaign
7 consultant;

8 (2) If the campaign consultant is an individual, the name of the campaign
9 consultant's employer and a description of the business activity engaged in by the employer;

10 (3) The names of any individuals employed by the campaign consultant to assist in
11 providing campaign consulting services;

12 (4) A statement of whether the campaign consultant is required to register with the
13 Ethics Commission pursuant to the Regulation of Lobbyists Ordinance, San Francisco
14 Campaign and Governmental Conduct Code, Article II;*

15 (5) A statement of whether the campaign consultant is required to register with the Tax
16 Collector pursuant to the Business Tax Ordinance, San Francisco Municipal Code, Part III,
17 Section 1001, et. seq.;

18 (6) The name, address, and telephone number of each client to whom the
19 campaign consultant provided campaign consulting services during the preceding three
20 months;

21 (7) For each client, the total economic consideration promised by or received from
22 the client in exchange for the provision of campaign consulting services during the preceding
23 three months, provided that the total is \$500 or more;

24 (8) Each political contribution of \$100 or more made or delivered by the campaign
25 consultant, or made by a client at the behest of the campaign consultant, or for which the

1 campaign consultant acted as an agent or intermediary, during the preceding three months in
2 support of or in opposition to a candidate or measure;

3 (9) The cumulative total of all political contributions made or delivered by the
4 campaign consultant, or which is made by a client at the behest of the campaign consultant,
5 or for which the campaign consultant acted as an agent or intermediary, during the preceding
6 three months in support of or in opposition to each individual candidate or measure, provided
7 that the cumulative total is \$500 or more;

8 (10) Any gifts promised or made by the campaign consultant to a local officeholder
9 during the preceding three months which in the aggregate total \$50 or more; and

10 (11) Any other information required by the Ethics Commission consistent with the
11 purposes and provisions of this Chapter.

12 (b) REREGISTRATION REPORTS. Each campaign consultant shall reregister
13 annually no later January 1st.

14 (c) FEES. At the time of initial registration and reregistration, each campaign
15 consultant shall pay to the Ethics Commission a registration fee and an additional fee for each
16 client of the campaign consultant. The amount of the fee shall be:

17 (i) Campaign consultants earning at least \$1,000 but not more than \$5,000 per
18 calendar year shall pay a registration fee of \$50 and shall pay a client fee of \$50 per client;

19 (ii) Campaign consultants earning more than \$5,000 but not more than \$20,000 per
20 calendar year shall pay a registration fee of \$200 and a client fee of \$50 per client;

21 (iii) Campaign consultants earning more than \$20,000 per calendar year shall pay a
22 registration fee of \$400 and a client fee of \$50 per client.

23 When a client is acquired subsequent to initial registration or reregistration, the per-
24 client fee shall be paid at the time of filing the information required by Subsection (d). The
25 Ethics Commission shall deposit fees collected pursuant to this Section in the General Fund

1 of the City and County of San Francisco. On or after July 1, 1999, the Ethics Commission
2 shall evaluate the fees set by this Section and propose any amendments for approval by the
3 Board of Supervisors no later than December 1, 1999. If the Ethics Commission or the Board
4 of Supervisors takes no action, the fees set by this Section shall remain in effect.

5 (d) CLIENT AUTHORIZATION STATEMENTS. At the time of initial registration, the
6 campaign consultant shall submit to the Ethics Commission a written authorization from each
7 client that contracts with the campaign consultant for campaign consulting services.

8 If the campaign consultant is retained by a client after the date of initial registration, the
9 campaign consultant must file a Client Authorization Statement before providing any
10 campaign consulting services to the client and before receiving any economic consideration
11 from the client in exchange for campaign consulting services, and in any event no later than
12 15 days after being retained to provide campaign consulting services to the client.

13 (e) QUARTERLY REPORTS. Each campaign consultant shall file with the Ethics
14 Commission quarterly reports containing the following information:

15 (1) For each client, the total economic consideration promised by or received from
16 the client during the reporting period for campaign consulting services, provided that the total
17 is \$500 or more;

18 (2) The total economic consideration promised by or received from all clients during
19 the reporting period for campaign consulting services;

20 (3) Political contributions of \$100 or more made or delivered by the campaign
21 consultant, or made by a client at the behest of the campaign consultant, or for which the
22 campaign consultant acted as an agent or intermediary, during the reporting period in support
23 of or in opposition to a candidate or measure;

24 (4) The cumulative total of all political contributions made or delivered by the
25 campaign consultant, or made by a client at the behest of the campaign consultant, or for

1 which the campaign consultant acted as an agent or intermediary, during the reporting period
2 in support of or in opposition to each individual candidate or measure, provided that the
3 cumulative total is \$500 or more;

4 (5) Any gifts promised or made by the campaign consultant to a local officeholder
5 during the reporting period which in the aggregate total \$50 or more;

6 (6) Economic consideration promised to or received by the campaign consultant
7 during the reporting period from vendors and subvendors who provided campaign-related
8 goods or services to a current client of the campaign consultant;

9 (7) The name of each local officeholder and City employee who is employed by the
10 campaign consultant, or by a client of the campaign consultant at the behest of the campaign
11 consultant, during the reporting period;

12 (8) Each City contract obtained by the campaign consultant during the reporting
13 period, provided that the contract is approved by a local officeholder who is a client of the
14 campaign consultant;

15 (9) Each appointment to public office received by the campaign consultant during
16 the reporting period provided that the appointment is made by a local office-holder who is a
17 client of the campaign consultant;

18 (10) Any other information required by the Ethics Commission consistent with the
19 purposes and provisions of this Chapter.

20 Quarterly reports are due as follows: The report for the period starting December 1st
21 and ending February 28th is due March 15th; the report for the period starting March 1st and
22 ending May 31st is due June 15th; the report for the period starting June 1st and ending
23 August 31st is due September 15th; and the report for the period starting September 1st and
24 ending November 30th is due December 15th.

25 (f) CLIENT TERMINATION STATEMENTS. Within 30 days after a client

1 terminates the services of a campaign consultant, the campaign consultant shall submit to the
2 Ethics Commission a statement that the client has terminated the services of the campaign
3 consultant. A campaign consultant may not provide campaign consulting services to a client
4 or accept economic consideration for the provision of campaign consulting services after a
5 client termination statement is filed, until a new client authorization statement has been filed
6 pursuant to Section 1.515(d).

7 (g) CAMPAIGN CONSULTANT TERMINATION STATEMENTS. A campaign
8 consultant shall comply with all requirements of this Chapter until the campaign consultant
9 ceases all activity as a campaign consultant and files a statement of termination with the
10 Ethics Commission. A statement of termination must include all information required by
11 Subsection (e) for the period since the campaign consultant's last quarterly report.

12 (h) Each campaign consultant shall verify, under penalty of perjury, the accuracy
13 and completeness of the information provided under Sections 1.515 and 1.520(c).

14 (i) Each campaign consultant shall retain for a period of five years all books,
15 papers and documents necessary to substantiate the reports and statements required under
16 this Chapter. (Added by Proposition G, 11/4/97)

17 ***[Editor's Note: The Regulation of Lobbyists Ordinance, which was previously**
18 **codified at Administrative Code Section 16.520, et seq., is now codified in Article II of**
19 **this Code.]**

20
21 **SEC. 1.520. POWERS AND DUTIES OF THE ETHICS COMMISSION.** (a) The
22 Ethics Commission shall provide forms for the reporting of all information required by this
23 Chapter.

24 (b) The Ethics Commission shall issue a registration number to each registered
25 campaign consultant.

1 (c) At the time of initial registration and reregistration, the Ethics Commission shall
2 provide the campaign consultant with a copy of the City's campaign and lobbyist laws, the
3 Code of Conduct specified in Section 1.530, and any related material which the Commission
4 determines will serve the purposes of this Chapter. Each campaign consultant must sign a
5 statement acknowledging receipt of these materials.

6 (d) The Ethics Commission shall compile the information provided in registration
7 and quarterly reports filed pursuant to this Chapter as soon as practicable after the close of
8 each quarter and shall forward a report of the compiled information to the Board of
9 Supervisors and the Mayor.

10 (e) The Ethics Commission shall preserve all original reports, statements, and other
11 records required to be kept or filed under this Chapter for a period of five years. Such reports,
12 statements, and records shall constitute a part of the public records of the Ethics Commission
13 and shall be open to public inspection.

14 (f) The Commission shall provide formal and informal advice regarding the duties
15 under this Chapter of a person or entity pursuant to the procedures specified in San Francisco
16 Charter Section C3.699-12.

17 (g) The Ethics Commission shall have the power to adopt all reasonable and
18 necessary rules and regulations for the implementation of this Chapter pursuant to the
19 procedure specified in Charter Section 15.102.* (Added by Proposition G, 11/4/97)

20 ***[Editor's Note: The Ethics Commission's authority to adopt rules and**
21 **regulations was previously codified as Charter Section 3.699-9. Under Proposition E,**
22 **adopted by the San Francisco voters on November 7, 1995, Charter Section 3.699-9 was**
23 **recodified as Charter Section 15.102. Accordingly, references to Section 3.699-9 have**
24 **been changed to Section 15.102.]**

1 **SEC. 1.525. ADMINISTRATIVE AND CIVIL ENFORCEMENT AND PENALTIES.**

2 (a) If any campaign consultant files an original statement or report after any deadline imposed
3 by this Chapter, the Ethics Commission shall, in addition to any other penalties or remedies
4 established in this Chapter, fine the campaign consultant \$50 per day after the deadline until
5 the statement or report is received by the Ethics Commission. If any campaign consultant
6 files an original statement or report after any deadline imposed by this Chapter, when the
7 deadline is fewer than 30 days before or after an election, the Ethics Commission shall, in
8 addition to any other penalties or remedies established in this Chapter, fine the campaign
9 consultant \$100 per day after the deadline until the statement or report is received by the
10 Ethics Commission. The Ethics Commission may reduce or waive a fine if the Commission
11 determines that the late filing was not willful and that enforcement will not further the purposes
12 of this Chapter. The Ethics Commission shall deposit funds collected under this Section in the
13 General Fund of the City and County of San Francisco.

14 (b) Any person who believes that Section 1.510 has been violated may file a
15 complaint with the Ethics Commission. Upon receipt of a complaint, or upon its own initiative,
16 the Commission may investigate allegations of a violation of Section 1.510 and enforce the
17 provisions of Section 1.510 pursuant to the procedures established in San Francisco Charter
18 Section C3.699-13, and the Commission's rules and regulations adopted pursuant to Charter
19 Section 15.102.*

20 (c) When the Commission, pursuant to the procedures specified in Charter Section
21 C3.699-13, determines on the basis of substantial evidence that a person or entity has
22 violated Section 1.510, the Commission may require the person or entity to: (1) cease and
23 desist the violation; (2) file any reports or statements or pay any fees required by this Chapter,
24 and/or (3) pay a monetary penalty of up to \$5,000 for each violation, or three times the
25 amount not properly reported, whichever is greater. The Commission may cancel for up to

1 one year the registration of any campaign consultant who has violated Section 1.510. A
2 campaign consultant whose registration has been canceled pursuant to this Section may not
3 provide campaign consulting services in exchange for economic consideration for the period
4 that the registration is canceled. When the period of cancellation ends, the campaign
5 consultant may reregister pursuant to Section 1.515(a) and (c).

6 (d) Any person or entity which knowingly or negligently violates or who causes any
7 other person to violate Section 1.510 may be liable in a civil action brought by the City
8 Attorney for an amount up to \$5,000 per violation, or three times the amount not properly
9 reported, whichever is greater.

10 (e) Any person or entity which intentionally or negligently violates Section 1.510 is
11 guilty of a misdemeanor.

12 (f) No administrative, civil, or criminal action shall be maintained to enforce Section
13 1.510 unless brought within four years after the date the cause of action accrued or the date
14 that the facts constituting the cause of action were discovered by the Ethics Commission, City
15 Attorney, or District Attorney, whichever is later.

16 (g) In investigating any alleged violation of Section 1.510, the Ethics Commission
17 and City Attorney shall have the power to inspect, upon reasonable notice, all documents
18 required to be maintained under Section 1.515(i). This power to inspect documents is in
19 addition to other powers conferred on the Ethics Commission and City Attorney by the Charter
20 or by ordinance, including the power of subpoena. (Added by Proposition G, 11/4/97)

21 ***[Editor's Note: The Ethics Commission's authority to adopt rules and**
22 **regulations was previously codified as Charter Section 3.699-9. Under Proposition E,**
23 **adopted by the San Francisco voters on November 7, 1995, Charter Section 3.699-9 was**
24 **recodified as Charter Section 15.102. Accordingly, references to Section 3.699-9 have**
25 **been changed to Section 15.102.]**

1
2 **SEC. 1.530. CODE OF CONDUCT.** At the time of initial registration and reregistration,
3 each campaign consultant must elect whether to voluntarily comply with the following Code of
4 Conduct:

5 “I am familiar with all the laws, rules and regulations applicable to local campaigns;

6 “I will not knowingly make false statements about the qualifications or positions of any
7 candidate, or about the scope and effect of any measure;

8 “I will not knowingly make false statements that any real or fictitious person supports or
9 opposes a candidate or measure;

10 “In the event that I make inadvertent false statements about the qualifications or
11 positions of any candidate or about the scope and effect of any measure, I will endeavor to
12 provide corrected information in written form to the Ethics Commission within five days;

13 “I will refrain from appealing to prejudice in the conduct of a campaign, and from
14 conducting, managing or advising a campaign, which appeals to prejudice based on race,
15 gender, ethnic background, religious affiliation or nonaffiliation, sexual orientation, age,
16 disability, or economic status;

17 “I will refrain from seeking to obtain the support of or opposition to any candidate or
18 measure by the use of financial inducements or by the use of threats or coercion;

19 “I will refrain from influencing the submission of a measure to the San Francisco voters
20 for the sole purpose of obtaining economic consideration for campaign consulting services;

21 “I will disclose through a filing at the San Francisco Ethics Commission any
22 agreements that would result in a campaign consulting contract resulting from my efforts to
23 influence the submission of a measure to the San Francisco voters at the time that I seek
24 submission of any such measure;

25 “I will refrain from seeking to evade, or participating in efforts of others to evade, the

1 legal requirements in laws pertaining to political campaigns;

2 "I will not knowingly participate in the preparation, dissemination, or broadcast of paid
3 political advertising or campaign materials that contain false information; and

4 "I will refrain from accepting clients whose interests are adverse to each other." (Added
5 by Proposition G, 11/4/97)

6
7 **SEC. 1.535. SEVERABILITY.** If any section, subsection, subdivision, sentence,
8 clause, phrase or portion of this Chapter, or the application thereof to any person or entity is
9 for any reason held to be invalid or unconstitutional by the decision of any court of competent
10 jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter
11 or its application to other persons, business entities, or organizations. The Board of
12 Supervisors hereby declares that it would have adopted this Chapter, and each section,
13 subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact
14 that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or
15 portions, or the application thereof to any person or entity, to be declared invalid or
16 unconstitutional. (Added by Proposition G, 11/4/97)

17
18 **ARTICLE II: LOBBYING**

19
20 **CHAPTER 1:**
21 **REGULATION OF LOBBYISTS**

22
23 **SEC. 2.100. FINDINGS.** The Board of Supervisors finds that public disclosure of the
24 identity and extent of efforts of lobbyists to influence decision-making regarding local
25 legislative and administrative matters is essential to protect public confidence in the

1 responsiveness and representative nature of government officials and institutions. It is the
2 purpose and intent of the Board of Supervisors to impose on lobbyists reasonable registration
3 and disclosure requirements to reveal information about lobbyists' efforts to influence
4 decision-making regarding local legislative administrative matters. (Added by Ord. 19-99,
5 App. 2/19/99)
6

7 **SEC. 2.105. DEFINITIONS.** Whenever used in this Chapter, the following words and
8 phrases shall have the definitions provided in this Section:

9 (a) "Activity expenses" means any expense incurred or payment made by a lobbyist
10 or a lobbyist's client at the behest of the lobbyist, or arranged by a lobbyist or a lobbyist's
11 client at the behest of the lobbyist, which benefits in whole or in part any: officer of the City
12 and County; candidate for City and County office; aide to a member of the Board of
13 Supervisors; or member of the immediate family or the registered domestic partner of an
14 officer, candidate, or aide to a member of the Board of Supervisors. An expense or payment
15 is not an "activity expense" unless it is incurred or made within three months of a contact with
16 the officer, candidate, or Supervisor's aide who benefits from the expense or payment, or
17 whose immediate family member or registered domestic partner benefits from the expense or
18 payment. "Activity expenses" include gifts, honoraria, consulting fees, salaries, and any other
19 form of economic consideration totaling more than \$30 in value in a consecutive three- month
20 period, but do not include political contributions.

21 (b) "Candidate" means a person who has taken affirmative action to seek
22 nomination or election to local office, a local officeholder who has taken affirmative action to
23 seek nomination or election to any elective office, or a local officeholder who is the subject of
24 a recall election.

25 (c) "Client" means the person for whose benefit lobbyist services are performed by

1 a contract lobbyist.

2 (d) "Contact" means communicate, orally or in writing, including communication
3 through an agent, associate or employee, for the purpose of influencing or attempting to
4 influence local legislative or administrative action.

5 (1) The following activities are not "contracts" within the meaning of this Chapter.

6 (A) A public official acting in the public official's official capacity. For purposes of
7 this subsection, "public official" includes an elected or appointed official or employee, or
8 officially designated representative of the United States, the State of California, or any political
9 subdivision thereof. For purposes of this subsection, "public official" also includes persons
10 appointed to serve on City and County advisory committees and City and County task forces;

11 (B) A representative of a news media organization gathering news and information
12 or disseminating the same to the public, even if the organization, in the ordinary course of
13 business, publishes news items, editorials or other commentary, or paid advertisements, that
14 urge action upon local legislative or administrative matters;

15 (C) A person providing oral or written testimony that becomes part of the record of a
16 public hearing; provided, however, that if the person making the appearance or providing
17 testimony has already qualified as a lobbyist under this Chapter and is appearing or testifying
18 on behalf of a client, the lobbyist's testimony shall identify the client on whose behalf the
19 lobbyist is appearing or testifying;

20 (D) A person acting on behalf of others in the performance of a duty or service,
21 which duty or service lawfully can be performed for such other only by an attorney or an
22 architect licensed to practice in the State of California, and including any communication by an
23 attorney in connection with litigation involving the City and County or a claim filed pursuant to
24 Administrative Code Section 10.20-1 et seq.;

25 (E) A person making a speech or producing an Chapter, publication or other

1 material that is distributed and made available to the public, through radio, television, cable
2 television, or other medium of mass communication;

3 (F) A person providing written information in response to an oral or written request
4 made by an officer of the City and County, provided that the written information is a public
5 record available for public review;

6 (G) A person providing oral or written information pursuant to a subpoena, or
7 otherwise compelled by law or regulation;

8 (H) A person providing oral or written information in response to a request for
9 proposals, request for qualifications, or other similar request, provided that the information is
10 directed to the department or official specifically designated in the request to receive such
11 information;

12 (I) A person submitting a written petition for local legislative or administrative
13 action, provided that the petition is a public record available for public review;

14 (J) A person making an oral or written request for a meeting, for the status of an
15 action, or any other similar administrative request, if the request does not include an attempt
16 to influence local legislative or administrative action;

17 (K) A person appearing before an officer of the City and County pursuant to any
18 procedure established by law or regulation for levying an assessment against real property for
19 the construction or maintenance of an improvement;

20 (L) An expert employed or retained by a lobbyist registered under this Chapter to
21 provide information to an officer of the City and County;

22 (M) A person distributing to any officer of the City and County any regularly
23 published newsletter or other periodical which is not primarily directed at influencing local
24 legislative or administrative action;

25 (N) A person disseminating information or material to all or a significant segment of

1 the person's employees or members;

2 (O) A person communicating in connection with the administration of an existing
3 contract between the person and the City and County of San Francisco. For purposes of this
4 subsection, communication, "in connection with the administration of an existing contract"
5 includes, but is not limited to, communication regarding: insurance and bonding; contract
6 performance and/or default; requests for in-scope change orders; legislative mandates
7 imposed on contractors by the City and County; payments and invoicing; personnel changes;
8 prevailing wage verification; liquidated damages and other penalties for breach of contract;
9 audits; assignments; and subcontracting. Communication "in connection with the
10 administration of an existing contract" does not include communication regarding new
11 contracts, or out-of-scope change orders; and

12 (P) A person applying for, opposing or otherwise taking any position on a grading
13 permit or a permit relating to the construction, alteration, demolition or moving of a building or
14 to a person filing, opposing or otherwise taking a position on a parcel map or subdivision tract
15 map; provided, however, that if a person qualifies as a lobbyist and that person takes or
16 opposes an appeal or represents a person taking or opposing an appeal, pursuant to any
17 procedure or authority provided by law from an administrative determination made with
18 respect to such an application or map, that person shall be required to register as provided in
19 Section 2.110 upon taking the appeal or filing opposition to it.

20 (e) "Economic consideration" means any payments, fees, reimbursement for
21 expenses, gifts, or anything else of value.

22 (f) "Ethics Commission" means the San Francisco Ethics Commissioner or its
23 designee.

24 (g) "Filer" means a person who qualifies as a lobbyist under Subsection (i) of this
25 Section.

1 (h) "Gift" shall be defined as set forth in the Political Reform Act, Government Code
2 § 81000 et seq., and the regulations adopted thereunder.

3 (i) "Lobbyist" means the following:

4 (1) Contract Lobbyist.

5 (A) "Contract lobbyist" means any person who contracts for economic consideration
6 to contact any officer of the City and County of San Francisco on behalf of any other person,
7 and who:

8 (i) Receives or becomes entitled to receive at least \$3,200 in economic
9 consideration within any three consecutive calendar months in exchange for lobbyist services;
10 or

11 (ii) Has at least 25 separate contacts with officers of the City and County within any
12 two consecutive calendar months.

13 (B) For purposes of calculating whether a person has reached the income threshold
14 set forth in (1)(A)(i) of this subsection, all economic consideration the person has received or
15 become entitled to receive, during the three consecutive calendar months, from all clients in
16 exchange for lobbyist services shall be combined.

17 (C) For purposes of calculating whether a person has reached the contacts
18 threshold set forth in (1)(A)(ii) of this subsection, all contacts with officers of the City and
19 County that were made by the person during the two preceding calendar months on behalf of
20 all clients shall be combined.

21 (2) Business and Organization Lobbyist.

22 (A) "Business and organization lobbyist" means any business or organization any of
23 whose employees or members, as a regular part of their employment or duties, contact
24 officers of the City and County of San Francisco on behalf of that business or organization,
25 provided:

1 (i) The business or organization compensates its employees or members, at any
2 amount, for their lobbyist services on its behalf; and

3 (ii) The compensated employees or members have a total of at least 25 separate
4 contacts with officers of the City and County within any two consecutive calendar months.
5 Contacts made by an employee or member who merely indicates his or her affiliation or
6 identification with the business or organization, but who does not represent the official position
7 of the business or organization shall not be included in this calculation.

8 (3) Expenditure Lobbyist.

9 (A) "Expenditure lobbyist" means any person who makes payments to influence
10 local legislative or administrative action totaling \$3,200 or more in value within any three
11 consecutive calendar months.

12 (B) The following shall not be included in calculating payments under (3)(A) of this
13 subsection: economic consideration paid to any person in exchange for lobbyist services; and
14 dues payments, donations, and other economic consideration paid to any business and
15 organization lobbyist or expenditure lobbyist, regardless of whether the economic
16 consideration is used in whole or in part to influence local legislative or administrative action.

17 (4) Exemptions. No person shall qualify as a "lobbyist" within the meaning of this
18 Chapter by reason of activities described in Subsection (d)(1) of Section 2.105.

19 (j) "Lobbyist services" means services rendered for the purpose of influencing or
20 attempting to influence local legislative or administrative action, including but not limited to
21 contacts with officers of the City and County of San Francisco. "Lobbyist services" shall not
22 include activities described in Subsection (d)(1) of Section 2.105, other than Subsection
23 (d)(1)(C) of Section 2.105.

24 (k) "Local legislative or administrative action" includes, but is not limited to, the
25 drafting, introduction, consideration, modification, enactment, defeat, approval, veto, granting

1 or denial by any officer of the City and County of any resolution, motion, appeal, application,
2 petition, nomination, ordinance, amendment, approval, referral, permit, license or entitlement
3 to use. "Local legislative or administrative action" does not include by any officer of the City
4 and County which adjudicates the rights and/or duties of a single person or group of persons,
5 other than a proceeding described in Subsection (d)(1)(K) of Section 2.105.

6 (l) "Measure" means a local referendum or local ballot measure, whether or not it
7 qualifies for the ballot.

8 (m) "Officer of the City and County" means any officer identified in San Francisco
9 Administrative Code Section 1.50, as well as any official body composed of such officers. In
10 addition, for purposes of this Chapter, "officer of the City and County" includes members of
11 the Board of Education, Community College Board, Housing Authority, Redevelopment
12 Agency, and Transportation Authority, as well as any official body composed of such officers.

13 (n) "Payments to influence local legislative or administrative action" include actual or
14 promised payments of anything of value, whether or not legally enforceable, made in
15 consideration for influencing or attempting to influence local legislative or administrative
16 action. Such payments include payments for contacts with officers of the City and County as
17 well as other lobbyist services. Such payments shall not include the following:

18 (1) Payments for services that are solely secretarial, clerical, or manual, or are
19 limited solely to the compilation of data and statistics;

20 (2) Payments for any regular, ongoing business overhead that would continue to be
21 incurred in substantially similar amounts regardless of the filer's activities to influence local
22 legislative or administrative action, other than payments to lobbyists, employees or members
23 for lobbyist services;

24 (3) Payments for soliciting or urging the filer or the filer's employees or members to
25 contact officers of the City and County;

1 (4) Payments for the settlement or resolution of litigation or claims filed pursuant to
2 Administrative Code Section 10.20-1 et seq.; or

3 (5) Payments for activities described in Subsection (d)(1) of Section 2.105, other
4 than Subsections (d)(1)(C), (L) and (P) of Section 2.105.

5 (o) "Person" means an individual, partnership, corporation, association, firm or other
6 organization or entity, however organized.

7 (p) "Public hearing" means any open, noticed proceeding. (Added by Ord. 19-99,
8 App. 2/19/99)

9
10 **SEC. 2.110. REGISTRATION OF LOBBYISTS REQUIRED; REGISTRATION, RE-**
11 **REGISTRATION, QUARTERLY REPORTS; FEES; CLIENT AUTHORIZATION;**
12 **TERMINATION.** (a) REGISTRATION OF LOBBYISTS REQUIRED. No person who qualifies
13 as a contract or business or organization lobbyist shall contact any officer of the City and
14 County, and no person who qualifies as an expenditure lobbyist shall make payments to
15 influence local legislative or administrative action, without first registering with the Ethics
16 Commission and complying with the disclosure requirements imposed by this Chapter.

17 (b) REGISTRATION REPORTS. At the time of initial registration each filer shall
18 report to the Ethics Commission the following information:

19 (1) The name, business address and business phone number of the filer;

20 (2) If the filer is a contract lobbyist, the filer shall also report the following:

21 (A) If the filer is an entity, the name of each individual who is an owner, partner or
22 officer of the filer as follows:

23 (i) If the filer is a sole proprietorship, list the name of the sole proprietor;

24 (ii) If the filer is a corporation, however organized, list the name of each officer;

25 (iii) If the filer is a partnership, however organized, and if the partnership has 10 or

1 more partners, list the name of the partnership; or

2 (iv) If the filer is a partnership, however organized, and if the partnership has fewer
3 than 10 partners, list the name of each partner.

4 (B) If the filer is an individual, the name of the filer's employer and a description of
5 the employer's business activity;

6 (C) The name of each person employed or retained by the filer, at the time of filing
7 or at any time during the two months immediately preceding filing, to contact officers of the
8 City and County;

9 (D) The name, address, and telephone number of each current client and each
10 client on whose behalf the filer provided lobbyist services during the preceding two months;

11 (E) The total economic consideration promised by or received from clients during
12 the preceding two months in exchange for lobbyist services;

13 (F) The total number of contacts with officers of the City and County made during
14 the preceding two months; and

15 (G) For each current client, and each client on whose behalf the filer provided
16 lobbyist services during the preceding two months, describe the local legislative or
17 administrative action the filer was retained to influence, and the outcome sought by the filer.

18 (3) If the filer is a business or organization lobbyist, the filer shall also report the
19 following:

20 (A) A description of the nature and purpose of the business or organization,
21 including a statement indicating whether the filer is an industry, trade or professional
22 association;

23 (B) The name of each employee or member of the business or organization
24 authorized to contact officers of the City and County on behalf of the business or organization;

25 (C) The total amount of payments to influence local legislative or administrative

1 action made by the filer during the preceding two months;

2 (D) The total number of contacts with officers of the City and County, made on
3 behalf of the filer by the filer's employees or members during the preceding two months; and

4 (E) A description of each local legislative or administrative action the filer seeks to
5 influence or sought to influence during the preceding two months; and the outcome sought by
6 the filer.

7 (4) If the filer is an expenditure lobbyist, the filer shall also report the following:

8 (A) If the filer is an entity, a description of the nature and purpose of the entity, and
9 the name of each individual who is an owner, partner or officer of the filer as follows:

10 (i) If the filer is a sole proprietorship, list the name of the sole proprietor;

11 (ii) If the filer is a corporation, however organized, list the name of each officer;

12 (iii) If the filer is a partnership, however organized, and if the partnership has 10 or
13 more partners, list the name of the partnership; or

14 (iv) If the filer is a partnership, however organized, and if the partnership has fewer
15 than 10 partners, list the name of each partner.

16 (B) If the filer is an individual, the name and address of the filer's employer, if any, or
17 his or her principal place of business if the filer is self-employed, and a description of the
18 business activity in which the filer or his or her employer is engaged;

19 (C) The total amount of payments to influence local legislative or administrative
20 action made during the preceding two months; and

21 (D) A description of each local legislative or administrative action the filer seeks to
22 influence or sought to influence during the preceding two months, and the outcome sought by
23 the filer.

24 (5) All political contributions of \$100 or more made or delivered by the filer, or made
25 by a client at the behest of the filer, during the preceding two months in support of or in

1 opposition to an officer of the City and County, a candidate for such office, a committee
2 controlled by such officer or candidate, or a committee primarily formed to support or oppose
3 such officer or candidate, or any committee primarily formed to support or oppose a ballot
4 measure to be voted on only in San Francisco. This report shall include all political
5 contributions arranged by the lobbyist, or for which the lobbyist acted as an agent or
6 intermediary.

7 (6) Any other information required by the Ethics Commission consistent with the
8 purposes and provisions of this Chapter.

9 (7) No lobbyist shall be required to report activities described in Subsection (d)(1) of
10 Section 2.105, other than Subsections (d)(1)(C), (L) and (P) of Section 2.105.

11 (c) RE-REGISTRATION REPORTS. Each lobbyist shall re-register annually no
12 later than January 15. The re-registration report must include the date of the most recent
13 lobbyist workshop (as described in Section 2.140)(j) of this Chapter) attended by the lobbyist.

14 (d) QUARTERLY REPORTS OF LOBBYIST ACTIVITY. Each lobbyist shall file with
15 the Ethics Commission quarterly reports containing the information specified in this
16 subsection. The quarterly report for the period starting January 1st and ending March 31st
17 shall be filed no later than April 15th; the quarterly report for the period starting April 1st and
18 ending June 30th shall be filed no later than July 15th; the quarterly report for the period
19 starting July 1st and ending September 30th shall be filed no later than October 15th; and the
20 quarterly report for the period starting October 1st and ending December 31st shall be filed no
21 later than January 15th. Quarterly reports shall include the following information:

22 (1) All activity expenses incurred by the filer during the reporting period, including
23 the following information:

24 (A) The date and amount of each activity expense;

25 (B) The full name and official position, if any, of the beneficiary of each activity

1 expense, a description of the benefit, and the amount of the benefit;

2 (C) The full name of the payee of each activity expense if other than the beneficiary;

3 (D) Whenever a filer is required to report a salary of an individual pursuant to this
4 subsection, the filer need only disclose whether the total salary payments made to the
5 individual during the reporting period was less than or equal to \$250, greater than \$250 but
6 less than or equal to \$1,000, greater than \$1,000 but less than or equal to \$10,000, or greater
7 than \$10,000.

8 (2) All political contributions of \$100 or more made or delivered by the filer, or made
9 by a client at the behest of the filer during the reporting period to an officer of the City and
10 County, a candidate for such office, a committee controlled by such officer or candidate, or a
11 committee primarily formed to support or oppose such officer or candidate, or any committee
12 primarily formed to support or oppose a ballot measure to be voted on only in San Francisco.
13 This report shall include all political contributions arranged by the lobbyist, or for which the
14 lobbyist acted as an agent or intermediary.

15 (3) If the filer is a contract lobbyist, the filer shall also report the following:

16 (A) The name of each person employed or retained by the filer during the reporting
17 period to contract officers of the City and County;

18 (B) The name, address, and telephone number of each client on whose behalf the
19 filer provided lobbyist service during the reporting period;

20 (C) The total economic consideration promised by or received from clients during
21 the reporting period in exchange for lobbyist services;

22 (D) The name and title, if applicable, of each officer and department of the City and
23 County contacted by the filer during the reporting period;

24 (E) For each client, describe the local legislative or administrative action the filer
25 was retained to influence and the outcome sought by the filer; and

1 (F) For each client, describe the lobbyist services provided for which economic
2 consideration was received from or promised by the client.

3 (4) If the filer is a business or organization lobbyist, the filer shall also report the
4 following:

5 (A) The name of each employee or member of the business or organization
6 authorized to contact officers of the City and County, during the reporting period, on behalf of
7 the business or organization;

8 (B) The total amount of payments to influence local legislative or administrative
9 action made by the filer during the reporting period;

10 (C) The name and title, if applicable, of each officer and department of the City and County
11 contacted by the filer's employees or members during the reporting period; and

12 (D) A description of each local legislative or administrative action the filer sought to
13 influence during the reporting period, and the outcome sought by the filer.

14 (5) If the filer is an expenditure lobbyist, the filer shall also report the following:

15 (A) The total amount of payments to influence local legislative or administrative
16 action made during the reporting period; and

17 (B) A description of each local legislative or administrative action the filer sought to
18 influence during the reporting period, and the outcome sought by the filer.

19 (6) Each City and County contract awarded to the filer during the reporting period.
20 For purposes of this subsection, the term "contract" means a contract for: the rendition of
21 personal services; the furnishing of any material, supplies or equipment to or from the City,
22 whether by purchase or lease; the sale or lease of land or buildings to or by the City, or the
23 financing of the same.

24 (7) Payments made by City and County officers to the filer during the reporting
25 period, provided that the payment is made in exchange for "campaign consulting services," as

1 defined in Section 1.505 of this Code, and provided that the filer contacted the officer within
2 one year of the date of payment. The required disclosure of payments under this subsection
3 shall not apply to information that is privileged under State law.

4 (8) The name of each officer of the City and County who is employed or retained by
5 the filer, or by a client of the filer at the behest of the filer, at any time during the reporting
6 period.

7 (9) Any other information required by the Ethics Commission consistent with the
8 purposes and provisions of this Chapter.

9 (10) No lobbyist shall be required to report activities described in Subsection (d)(1) of
10 Section 2.105, other than Subsection (d)(1)(C), (L) and (P) of Section 2.105.

11 (e) FEES.

12 (1) At the time of registration or re-registration, each lobbyist shall pay a fee of
13 \$300. The Ethics Commission shall prorate the fee by calendar quarter.

14 (2) In addition, at the time of registration and re-registration, contract lobbyists shall
15 pay a fee of \$50 for each current client. When a contract lobbyist is retained by a client
16 subsequent to registration, payment of the \$50 fee shall accompany the filing of the
17 information required in Subsection (f) of this Section. The Ethics Commission shall prorate
18 these fees by calendar quarter.

19 (3) The Ethics Commission shall waive all registration and client fees for any
20 organization presenting proof of its tax-exempt status under 26 U.S.C. 501(c)(3) or 501(c)(4).

21 (4) The Ethics Commission shall deposit all fees collected pursuant to this Section
22 in the General Fund of the City and County of San Francisco.

23 (f) CLIENT AUTHORIZATION STATEMENTS. At the time of initial registration,
24 each contract lobbyist shall submit to the Ethics Commission a written authorization from each
25 client. The client authorization statement shall be signed by both the contract lobbyist and the

1 client.

2 If the lobbyist is retained by a client after the date of initial registration, the lobbyist shall
3 file a client authorization statement before providing any lobbyist services to the client, and
4 before receiving any economic consideration from the client in exchange for such lobbyist
5 services, and in any event no later than 15 days after being retained by the client. The
6 lobbyist is not required to amend previously filed registration, re-registration or quarterly
7 reports to include a client who retains the services of the lobbyist after the time the report was
8 filed.

9 If the lobbyist is retained by a client after the date of initial registration, the lobbyist may
10 submit a copy of the client authorization statement by facsimile machine. The client
11 authorization statement shall be deemed to be timely filed only if the facsimile copy is
12 received no later than the filing deadline, and within 15 days of the filing deadline the original
13 document is received by the Ethics Commission, and the original document is identical in all
14 respects to the facsimile copy.

15 The lobbyist is not required to resubmit client authorization statements at the time of re-
16 registration.

17 (g) CLIENT TERMINATION STATEMENTS. Within 15 days after a client
18 terminates the services of a contract lobbyist, the lobbyist shall submit to the Ethics
19 Commission a statement that the client has terminated the services of the lobbyist. The client
20 termination statement shall be signed by the contract lobbyist. A contract lobbyist may not
21 provide lobbyist services to a client after a client termination statement is filed, until a new
22 client authorization statement has been filed pursuant to Subsection (f) of this Section.

23 (h) LOBBYIST TERMINATION STATEMENTS. Once a person qualifies as a
24 "lobbyist" under this Chapter, the person shall be subject to all registration, reporting and other
25 requirements and prohibitions imposed by this Chapter until the person ceases all lobbyist

1 activity and files a lobbyist termination statement with the Ethics Commission pursuant to this
2 subsection, regardless of whether the person continues to meet the activity thresholds
3 established in Section 2.105(i). A lobbyist termination statement shall include all information
4 required by Subsection (d) of this Section for the period starting with the first day of the
5 calendar quarter and ending with the date of termination. A lobbyist termination statement
6 shall be filed no later than 30 days after the date the lobbyist ceased all lobbyist activity.
7 (Added by Ord. 40-88, App. 2/18/88; amended by Ord. 386-95, App. 12/14/95; Ord. 390-97,
8 App. 10/17/97; Ord. 19-99, App. 2/19/99)

9
10 **SEC. 2.115. PROHIBITIONS.** (a) GIFT LIMIT. No lobbyist shall make gifts to an
11 officer of the City and County aggregating more than \$50 within three months of contacting
12 the officer. No lobbyist shall act as an agent or intermediary in the making of any gift to an
13 officer of the City and County, or arrange for the making of any gift to an officer of the City and
14 County by a third party, within three months of contacting the officer.

15 (b) FUTURE EMPLOYMENT. No lobbyist shall cause or influence the introduction
16 or initiation of any local legislative or administrative action for the purpose of thereafter being
17 employed or retained to secure its granting, denial, confirmation, rejection, passage or defeat.

18 (c) FICTITIOUS PERSONS. No lobbyist shall contact any officer of the City and
19 County in the name of any fictitious person or in the name of any real person, except with the
20 consent of such real person.

21 (d) EVASION OF OBLIGATIONS. No lobbyist shall attempt to evade the
22 obligations imposed by this Chapter through indirect efforts or through the use of agents,
23 associates or employees. (Added by Ord. 19-99, App. 2/19/99)

1 **SEC. 2.120. EMPLOYMENT OF CITY AND COUNTY OFFICERS OR EMPLOYEES;**
2 **APPOINTMENT OF EMPLOYEE TO CITY AND COUNTY OFFICE.**

3 (a) **EMPLOYMENT OF CITY AND COUNTY OFFICERS OR EMPLOYEES.** If any
4 lobbyist employs or requests, recommends or causes a client of the lobbyist to employ, and
5 such client does employ, any officer of the City and County, any immediate family member or
6 registered domestic partner of an officer of the City and County, or any person known by such
7 lobbyist to be a full-time employee of the City and County, in any capacity whatsoever, the
8 lobbyist shall file within 10 days after such employment a statement with the Ethics
9 Commission setting out the name of the employee, the date first employed, the nature of the
10 employment duties, and the salary or rate of pay of the employee.

11 (b) **APPOINTMENT OF EMPLOYEE TO CITY OFFICE.** If an employee of a
12 lobbyist is appointed to City or County office, the lobbyist shall file within 10 days after such
13 appointment a statement with the Ethics Commission setting out the name of the employee,
14 the date first employed, the nature of the employment duties, and the salary or rate of pay of
15 the employee.

16 (c) **REPORT OF SALARY.** Whenever a filer is required to report the salary of an
17 employee who is also an officer or employee of the City and County pursuant to this Section,
18 the filer need only disclose whether the total salary payments made to the employee are less
19 than or equal to \$250, greater than \$250 but less than or equal to \$1,000, greater than \$1,000
20 but less than or equal to \$10,000, or greater than \$10,000. (Added by Ord. 40-88, App.
21 2/18/88; amended by Ord. 386-95, App. 12/14/95; Ord. 19-99, App. 2/19/99)

22
23 **SEC. 2.125. NOTIFICATION OF BENEFICIARIES OF GIFTS.** Each lobbyist shall
24 provide each officer of the City and County who is the beneficiary of a gift made by the
25 lobbyist a written statement including the date, value and description of the gift. The lobbyist

1 shall provide this information to the officer within 30 days following the end of the reporting
2 period in which the gift was made. A lobbyist may satisfy this notification requirement by
3 providing a copy of the lobbyist's quarterly report of lobbyist activity to the officer. (Added by
4 Ord. 19-99, App. 2/19/99)

5
6 **SEC. 2.130. EMPLOYMENT OF UNREGISTERED PERSONS.** It shall be unlawful
7 knowingly to pay any contract lobbyist to contact any officer of the City and County of San
8 Francisco, if said contract lobbyist is required to register under this Chapter and has not done
9 so. (Added by Ord. 40-88, App. 2/18/88; amended by Ord. 19-99, App. 2/19/99)

10
11 **SEC. 2.135. FILING UNDER PENALTY OF PERJURY; RETENTION OF**
12 **DOCUMENTS.** All information required under this Chapter shall be filed with the Ethics
13 Commission, on forms provided by the Commission. The filer shall verify, under penalty of
14 perjury, the accuracy and completeness of the information provided under this Chapter. The
15 filer shall retain for a period of five years all books, papers and documents necessary to
16 substantiate the registration and disclosure reports required by this Chapter. (Added by Ord.
17 40-88, App. 2/18/88; amended by Ord. 386-95, App. 12/14/95; Ord. 19-99, App. 2/19/99)

18
19 **SEC. 2.140. POWERS AND DUTIES OF THE ETHICS COMMISSION.** (a) The
20 Ethics Commission shall provide forms for the reporting of all information required by this
21 Chapter.

22 (b) The Ethics Commission shall issue a registration number to each registered
23 lobbyist.

24 (c) At the time of initial registration and re-registration, the Ethics Commission shall
25 provide the lobbyist with a copy of the City's lobbyist law, and any related material which the

1 Commission determines will serve the purposes of this Chapter. Each lobbyist shall sign a
2 statement acknowledging receipt of these materials.

3 (d) The Ethics Commission shall issue a "Notice of Registration Required" upon the
4 written request of any officer of the City and County. Any person who in good faith and on
5 reasonable grounds believes that compliance with this Chapter is not required by reason of
6 being exempt under Section 2.105(i) shall not be deemed to have violated this Chapter if,
7 within 15 days after notice from the Ethics Commission, that person either complies or
8 furnishes satisfactory evidence to the Ethics Commission evidencing that said person is
9 exempt from registration.

10 (e) The Ethics Commission shall compile the information provided in registration
11 and quarterly reports filed pursuant to this Chapter as soon as practicable after the close of
12 each quarter and shall forward a report of the compiled information to the Board of
13 Supervisors and the Mayor.

14 (f) In July of each year, the Ethics Commission shall file a report with the Board of
15 Supervisors on the implementation of this Chapter.

16 (g) The Ethics Commission shall preserve all original reports, statements, and other
17 records required to be kept or filed under this Chapter for a period of five years. Such reports,
18 statements, and records shall constitute a part of the public records of the Ethics Commission
19 and shall be open to public inspection.

20 (h) The Ethics Commission shall provide formal and informal advice regarding the
21 duties under this Chapter of a person or entity pursuant to the procedures specified in San
22 Francisco Charter Section C3.699-12.

23 (i) The Ethics Commission shall have the power to adopt all reasonable and
24 necessary rules and regulations for the implementation of this Chapter pursuant to Charter
25 Section C3.699-9.

1 (j) The Ethics Commission shall conduct quarterly workshops concerning the laws
2 relating to lobbying. (Added by Ord. 40-88, App. 2/18/88; amended by Ord. 386-95, App.
3 12/14/95; Ord. 19-99, App. 2/19/99)
4

5 **SEC. 2.145. ADMINISTRATIVE AND CIVIL ENFORCEMENT AND PENALTIES.**

6 (a) If any lobbyist files an original statement or report after any deadline imposed by this
7 Chapter, the Ethics Commission shall, in addition to any other penalties or remedies
8 established in this Chapter, fine the lobbyist \$25 per day after the deadline until the statement
9 or report is received by the Ethics Commission. The Ethics Commission may reduce or waive
10 a fine if the Commission determines that the late filing was not willful and that enforcement will
11 not further the purposes of this Chapter. The Ethics Commission shall deposit funds collected
12 under this Section in the General Fund of the City and County of San Francisco.

13 (b) Any person who believes that the provisions of this Chapter have been violated
14 may file a complaint with the Ethics Commission. Upon receipt of a complaint, or upon its
15 own initiative, the Commission may investigate alleged violations of this Chapter and may
16 enforce the provisions of this Chapter pursuant to Charter Section C3.699-13 and to the
17 Commissioner's rules and regulations adopted pursuant to Charter Section C3.699-9.

18 (c) Any person or entity which knowingly or negligently violates this Chapter may be
19 liable in a civil action brought by the City Attorney for an amount up to \$1,000 per violation, or
20 three times the amount not properly reported, or three times the amount given or received in
21 excess of the gift limit, whichever is greater.

22 (d) In investigating any alleged violation of this Chapter the Ethics Commission and
23 City Attorney shall have the power to inspect, upon reasonable notice, all documents required
24 to be maintained under this Chapter. This power to inspect documents is in addition to other
25 powers conferred on the Ethics Commission and City Attorney by the Charter or by ordinance,

1 including the power of subpoena.

2 (e) Should two or more persons be responsible for any violation under this Chapter,
3 they shall be jointly and severally liable.

4 (f) The City Attorney may also bring an action to revoke for up to one year the
5 registration of any lobbyist who has knowingly violated this Chapter. (Added by Ord. 40-88,
6 App. 2/18/88; amended by Ord. 399-94, App. 11/23/94; Ord. 386-95, App. 12/14/95; Ord. 390-
7 97, App. 10/17/97; Ord. 19-99, App. 2/19/99)

8
9 **SEC. 2.150. LIMITATION OF ACTIONS.** No administrative or civil action shall be
10 maintained to enforce this Chapter unless brought within four years after the date the cause of
11 action accrued or the date that the facts constituting the cause of action were discovered by
12 the Ethics Commission or City Attorney, whichever is later. (Added by Ord. 40-88, App.
13 2/18/88; amended by Ord. 19-99, App. 2/19/99)

14
15 **SEC. 2.155. SEVERABILITY.** If any section, subsection, subdivision, sentence,
16 clause, phrase or portion of this Chapter, or the application thereof to any person, is for any
17 reason held to be invalid or unconstitutional by the decision of any court of competent
18 jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter
19 or its application to other persons. The Board of Supervisors hereby declares that it would
20 have adopted this Chapter, and each section, subsection, subdivision, sentence, clause,
21 phrase or portion thereof, irrespective of the fact that any one or more sections, subsections,
22 subdivisions, sentences, clauses, phrases, or portions, or the application thereof to any
23 person, to be declared invalid or unconstitutional. (Added by Ord. 40-88, App. 2/18/88;
24 amended by Ord. 19-99, App. 2/19/99)

1 **ARTICLE III: CONDUCT OF GOVERNMENT OFFICIALS AND EMPLOYEES**

2
3 **CHAPTER 1:**

4 **CONFLICT OF INTEREST CODE: FINANCIAL DISCLOSURE**

- 5
- 6 Sec. 3.1-100. Definitions
- 7 Sec. 3.1-101. Adoption of State Code.
- 8 Sec. 3.1-102. Filing Requirements.
- 9 Sec. 3.1-103. Filing Officers.
- 10 Sec. 3.1-104. Filing Officer Reports.
- 11 Sec. 3.1-105. Notice of Appointment and Resignation.
- 12 Sec. 3.1-106. Disclosure Categories.
- 13 Sec. 3.1-107. Disclosure Category 1.
- 14 Sec. 3.1-110. Aging, Commission on the.
- 15 Sec. 3.1-115. Agriculture, Weights and Measures Department.
- 16 Sec. 3.1-120. Airports Commission.
- 17 Sec. 3.1-125. Animal Control Department.
- 18 Sec. 3.1-130. Appeals, Board of.
- 19 Sec. 3.1-135. Asian Art Museum.
- 20 Sec. 3.1-140. Art Commission.
- 21 Sec. 3.1-145. Assessor-Recorder.
- 22 Sec. 3.1-150. Board of Supervisors.
- 23 Sec. 3.1-155. Building Inspection, Department of.
- 24 Sec. 3.1-160. Children and Families First Commission.
- 25 Sec. 3.1-165. Citizen Complaints, Office of.

- 1 Sec. 3.1-170. City Administrator.
- 2 Sec. 3.1-175. City Attorney.
- 3 Sec. 3.1-180. Civil Grand Jury.
- 4 Sec. 3.1-185. Civil Service Commission.
- 5 Sec. 3.1-190. Community College District.
- 6 Sec. 3.1-195. Controller.
- 7 Sec. 3.1-200. County Clerk.
- 8 Sec. 3.1-205. District Attorney.
- 9 Sec. 3.1-210. Economic Opportunity Council.
- 10 Sec. 3.1-215. Elections, Department of.
- 11 Sec. 3.1-220. Emergency Services.
- 12 Sec. 3.1-225. Environment Commission.
- 13 Sec. 3.1-230. Ethics Commission.
- 14 Sec. 3.1-235. Examiners, Plumbing and Electrical, Board of.
- 15 Sec. 3.1-240. Film and Video Arts Commission.
- 16 Sec. 3.1-245. Fine Arts Museums.
- 17 Sec. 3.1-250. Fire Department.
- 18 Sec. 3.1-255. Hazardous Materials Advisory Committee.
- 19 Sec. 3.1-260. Health Authority.
- 20 Sec. 3.1-265. Health, Department of Public.
- 21 Sec. 3.1-270. Housing Authority.
- 22 Sec. 3.1-275. Human Resources Department.
- 23 Sec. 3.1-280. Human Rights Commission.
- 24 Sec. 3.1-285. Human Services Commission.
- 25 Sec. 3.1-290. Joint Powers Financing Authority.

- 1 Sec. 3.1-295. Juvenile Probation Commission.
- 2 Sec. 3.1-300. Landmarks Preservation Advisory Board.
- 3 Sec. 3.1-305. Law Library.
- 4 Sec. 3.1-310. Library, Public.
- 5 Sec. 3.1-315. Mayor's Office.
- 6 Sec. 3.1-320. Medical Examiner.
- 7 Sec. 3.1-325. Parking Authority.
- 8 Sec. 3.1-330. Parking and Traffic, Department of.
- 9 Sec. 3.1-335. Planning Department.
- 10 Sec. 3.1-340. Police Department.
- 11 Sec. 3.1-345. Port Commission.
- 12 Sec. 3.1-350. Private Industry Council.
- 13 Sec. 3.1-355. Public Administrator/Public Guardian.
- 14 Sec. 3.1-360. Public Defender.
- 15 Sec. 3.1-365. Public Utilities Commission.
- 16 Sec. 3.1-370. Public Transportation Commission.
- 17 Sec. 3.1-375. Public Works Department.
- 18 Sec. 3.1-380. Purchasing Department.
- 19 Sec. 3.1-385. Real Estate Department.
- 20 Sec. 3.1-390. Recreation and Park Department.
- 21 Sec. 3.1-395. Redevelopment Agency.
- 22 Sec. 3.1-400. Relocation Appeals Board.
- 23 Sec. 3.1-405. Residential Rent Stabilization and Arbitration Board.
- 24 Sec. 3.1-410. Retirement System.
- 25 Sec. 3.1-415. Sheriff.

- 1 Sec. 3.1-420. San Francisco Unified School District.
- 2 Sec. 3.1-425. Taxi Commission.
- 3 Sec. 3.1-430. Telecommunications and Information Services, Department of.
- 4 Sec. 3.1-435. Transportation Authority, San Francisco County.
- 5 Sec. 3.1-440. Treasure Island Development Authority.
- 6 Sec. 3.1-445. Treasurer-Tax Collector.
- 7 Sec. 3.1-450. War Memorial and Performing Arts Center.
- 8 Sec. 3.1-455. Women, Commission on the Status of.
- 9 Sec. 3.1-460. Court Positions.
- 10 Sec. 3.1-500. Positions Designated by State - Filing Official.

11

12 **SEC. 3.1-100. DEFINITIONS.** As used in this chapter:

13 (a) "Political Reform Act." means the Political Reform Act of 1974, as said Act reads
14 on the date this ordinance is adopted and as said Act may be amended from time to time.

15 (b) All other words used in this ordinance shall have the meanings ascribed to them
16 by the Political Reform Act, if the Act provides a definition. (Added by Ord. 3-90, App. 1/5/90;
17 amended by Ord. 340-99, File No. 992046, App. 12/30/99)

18

19 **SEC. 3.1-101. ADOPTION OF STATE CODE.** The provisions of Regulation 18730 of
20 the California Fair Political Practices Commission (2 Cal. Admin. Code § 18730), as the
21 regulation reads on the date this ordinance is adopted and as the regulation may be amended
22 from time to time by the Fair Political Practices Commission, are hereby adopted and
23 incorporated herein by this reference as the Conflict of Interest Code for agencies of the City
24 and County of San Francisco listed in this Chapter, commencing with Section 58.100. The

25

1 San Francisco Ethics Commission shall maintain copies of Regulation 18730. (Added by Ord.
2 3-90, App. 1/5/90; amended by Ord. 340-99, File No. 992046, App. 12/30/99)

3
4 **SEC. 3.1-102. FILING REQUIREMENTS.** Each officer and employee of the City and
5 County of San Francisco holding a position designated in this Chapter, other than those
6 officials identified in Section 3.1-500, shall file statements disclosing the information required
7 by the disclosure categories set forth in this chapter, on such forms as may be specified by
8 the Fair Political Practices Commission (Form 700 unless otherwise provided by the
9 Commission), and at such times required by Regulation 18730. A copy of the forms to be
10 used shall be supplied by the Ethics Commission to each filing officer. Every officer and
11 employee holding a position designated in this Chapter shall retain his or her filing obligations,
12 notwithstanding any reclassification or title change that may occur in the future as to the same
13 job duties. (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 311-92, App. 10/9/92; Ord.
14 386-95, App. 12/14/95; Ord. 340-99, File No. 992046, App. 12/30/99)

15
16 **SEC. 3.1-103. FILING OFFICERS.** With the exception of those officials identified in
17 Section 3.1-500, persons holding designated positions shall file their Statements of Economic
18 Interest with the filing officers designated in this Section.

19 (a) Members of commissions, boards, and committees as well as department
20 heads, shall file their statements with the Ethics Commission.

21 (b) The agency heads of the Unified School District, the Community College District,
22 the San Francisco Housing Authority, the Redevelopment Agency, the Office of Citizen
23 Complaints, and the Law Library shall file their statements with the Ethics Commission.

24 (c) Members of the Civil Grand Jury shall file with the Executive Officer of the
25 Superior Court.

1 (d) All other persons holding designated positions shall file with their respective
2 department head or the executive director of the agency.

3 (e) In instances where the proper filing officer for a particular designated position is
4 unclear, the Ethics Commission may designate the filing officer. (Added by Ord. 3-90, App.
5 1/5/90; amended by Ord. 311-92, App. 10/9/92; Ord. 386-95, App. 12/14/95; Ord. 345-98,
6 App. 11/19/98)

7
8 **SEC. 3.1-104. FILING OFFICER REPORTS.** On or before April 10th of each year,
9 every filing officer shall submit a written report to the Ethics Commission setting forth the
10 names of those persons who are required to file an annual statement with that filing officer
11 under this Chapter but have failed to do so, or a report stating that all such persons have filed.
12 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 386-95, App. 12/14/95)

13
14 **SEC. 3.1-105. NOTICE OF APPOINTMENT AND RESIGNATION.** Whenever the
15 Mayor or a board or commission appoints a department head, or receives the resignation or
16 retirement notice of a department head, the official or the secretary to the board or
17 commission who makes the appointment or receives the resignation or retirement notice, shall
18 promptly inform the Ethics Commission. The official or secretary shall also inform the
19 department head of the necessity to file within 30 days on assuming office or leaving office
20 statement of economic interests. Upon receiving notice of the appointment, or the resignation
21 or retirement, of the department head, the Ethics Commission shall perform the required
22 duties of the filing officer and obtain the required statement of economic interests. (Added by
23 Ord. 3-90, App. 1/5/90; amended by Ord. 386-95, App. 12/14/95; Ord. 287-96, App. 7/12/96;
24 Ord. 56-97, App. 3/6/97)

1 **SEC. 3.1-106. DISCLOSURE CATEGORIES.** For each agency of the City and
2 County of San Francisco, disclosure categories shall include Category 1 as specified in
3 Section 58.8, and such additional categories as may be included in the Sections of this
4 Chapter applicable to each such agency. (Added by Ord. 3-90, App. 1/5/90; amended by Ord.
5 340-99, File No. 992046, App. 12/30/99)

7 **SEC. 3.1-107. DISCLOSURE CATEGORY 1.** Unless otherwise specified, for each
8 department or agency, Disclosure Category 1 shall read:

9 **"Disclosure Category 1.** Persons in this category shall disclose income from any
10 source, interests in real property, investments, and all business positions in which the
11 designated employee is a director, officer, partner, trustee, employee, or holds any position of
12 management." (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 56-97, App. 3/6/97; Ord.
13 340-99, File No. 992046, App. 12/30/99)

15 **SEC. 3.1-110. AGING, COMMISSION ON THE.**

Designated Positions	Disclosure Categories
Executive Director	All 1
Member, Commission on Aging	

(Added by Ord. 3-90, App. 1/5/90; amended by Ord. 340-99, File No. 992046, App. 12/30/99)

21 **SEC. 3.1-115. AGRICULTURE, WEIGHTS AND MEASURES DEPARTMENT.**

22 **Disclosure Category 2.** Persons in this category shall disclose all investments and
23 business positions in business entities, interests in real property, and income from sources
24 subject to the regulatory, permit or licensing authority of the Department of Agriculture and
25 Weights and Measures.

1 Designated Positions	Disclosure Categories
2 Agricultural Commissioner/Sealer	1
3 Assistant Commissioner/Sealer	1
4 Farmers' Market Manager	1
5 Agricultural Inspector	2
6 Weights and Measures Inspector	2
7 Public Service Trainee/Pest Detection Specialist	2
8 Public Service Trainee/Weights and	
9 Measures Trainee	2

10 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 56-97, App. 3/6/97; Ord. 340-99, File No.
11 992046, App. 12/30/99)

12

13 **SEC. 3.1-120. AIRPORTS COMMISSION.** (a) **Disclosure Category 2.** Persons in
14 this category shall disclose all investments and business positions in business entities and
15 income from any source which provides, or contracts with the City and County of San
16 Francisco and its Airports Commission to provide, services, supplies, materials, machinery or
17 equipment to the Airports Commission.

18 (b) **Disclosure Category 3.** Persons in this category shall disclose all investments
19 and business positions in business entities, interests in real property, and income from any
20 source subject to the regulatory, permit or licensing authority of the Airports Commission.

21

22 Designated Positions	Disclosure Categories
23 Airport Commissioners	1
24 Airport Director	1
25 Airport Deputy Directors	1

1	Secretary, Airport Commission	1
2	Chief Financial Officer	1
3	Chief Operating Officer	1
4	Director, Bureau of Community Affairs	1
5	Director, International Aviation Development	1
6	Assistant Deputy Directors	1
7	Associate Airport Deputy Directors	1
8	Airport Assistant Administrators	1
9	Airport Budget Managers	2, 3
10	Airport Communications Coordinators	2, 3
11	Airport Economic Planners	2, 3
12	Airport Facilities Service Managers	2, 3
13	Special Assistants XXII	1
14	Special Assistants XXI	1
15	Special Assistants XX	1
16	Special Assistants XIX	1
17	Special Assistants XVIII	1
18	Special Assistants XVII	1
19	Special Assistants XVI	1
20	Special Assistants XV	1
21	Special Assistants XIV	1
22	Airport Insurance Managers	2, 3
23	Airport Operations Superintendents	2, 3
24	Airport Parking Managers	2, 3
25	Airport Property Specialists	2, 3

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1	Building Inspector/Quality Control	
2	Branch Head—FOM	2, 3
3	Chief of Systems	1
4	Consultants*	2, 3
5	Construction Inspectors	2, 3
6	Curator in Charge of Aviation Library	2, 3
7	Senior Museum Registrar	2, 3
8	Assistant Director, Exhibitions	2, 3
9	Electrical Inspectors	2, 3
10	Economic Planners	2, 3
11	Environmental Planners III	2, 3
12	Facilities Planning Managers	2, 3
13	Managers, Scheduling and Control	2, 3
14	Manager Prevailing Wage	2, 3
15	Manager, Employment Development	2, 3
16	Manager, Customer Service	2, 3
17	Mechanical Inspectors	2, 3
18	Plumbing Inspectors	2, 3
19	Principal Architects	2, 3
20	Principal Civil Engineers	2, 3
21	Project Managers I	2, 3
22	Project Managers II	2, 3
23	Project Managers III	2, 3
24	Project Managers IV	2, 3
25	Senior Architects	2, 3

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1	Senior Departmental Personnel Officers	2, 3
2	Senior Engineer/Scheduling & Control—FOM	2, 3
3	Superintendent of Maintenance—FOM	2, 3
4	Supervising Fiscal Officers	2, 3
5	Transportation Planner V, Bureau of Planning	1
6	Airport Operations Coordinators	1

7

8 *With respect to consultants, the Airport Director may determine in writing that a

9 particular consultant is hired to perform a range of duties that are limited in scope and thus is

10 not required to comply with the disclosure requirements described in this category. Such

11 determination shall include a description of the consultant's duties and, based upon that

12 description, a statement of the extent of disclosure requirements. The Airport Director shall

13 forward a copy of this determination to the Board of Supervisors. Nothing herein excuses any

14 such consultant from any other provision of this Conflict of Interest Code. (Added by Ord. 3-

15 90, App. 1/5/90; amended by Ord. 311-92, App. 10/9/92; Ord. 380-94, App. 11/10/94; Ord. 56-

16 97, App. 3/6/97; Ord. 345-98, App. 11/19/98; Ord. 340-99, File No. 992046, App. 12/30/99)

17

18 **SEC. 3.1-125. ANIMAL CONTROL DEPARTMENT.**

19	Designated Positions	Disclosure Categories
20	Executive Director	1
21	Deputy Director	1
22	(Added by Ord. 190-90, App. 5/24/90; amended by Ord. 311-92, App. 10/9/92; Ord. 340-99,	
23	File No. 992046, App. 12/30/99)	

1 statement must be filed, or which may foreseeably do business with the Art Commission in the
2 future.

3 (b) **Disclosure Category 3.** Persons in this disclosure category shall disclose all
4 investments and business positions in any business entity, and income from any source,
5 which is subject to the regulatory, permit or licensing authority of the Art Commission.

6 Designated Positions	Disclosure Categories
7 Commissioners	2
8 Director of Cultural Affairs	1
9 Assistant Director	1
10 Curator	2
11 Curatorial Aide	2
12 Registrar	2
13 Street Artist Director	2
14 Street Artist Advisory Committee	3
15 Neighborhood Arts Program Director	2
16 Arts Education Officer	2
17 Special Assistant Cultural Facilities Management	2
18 Project Manager, Writers Corps	2

19 (Added by Ord. 190-90, App. 5/24/90; amended by Ord. 380-94, App. 11/10/94; Ord. 56-97,
20 App. 3/6/97; Ord. 345-98, App. 11/19/98)

21
22 **SEC. 3.1-145. ASSESSOR-RECORDER.**

23 Designated Positions	Disclosure Categories
24 Assessor	All 1
25 Executive Assistant	

- 1 Chief Assistant Assessor
- 2 Recorder
- 3 Chief Appraiser
- 4 Chief Personal Property Appraiser
- 5 Assistant Chief Real Property Appraiser
- 6 Assistant Chief Personal Property Auditor
- 7 Chief, Technical Services
- 8 Assistant Chief, Technical Services
- 9 Chief, Assessment Standards
- 10 Principal Real Property Appraiser—Special Valuations
- 11 Principal Real Property Appraiser
- 12 Principal Personal Property Auditor
- 13 Senior Real Property Appraiser
- 14 Senior Personal Property Auditor
- 15 Real Property Appraiser
- 16 Real Property Appraiser Trainee
- 17 Senior Manager Principal Accountant
- 18 Personal Property Auditor
- 19 Civil Engineer Associate
- 20 Confidential Secretary to the Assessor
- 21 MIS
- 22 MIS Manager
- 23 MIS Specialist
- 24 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 311-92, App. 10/9/92; Ord. 56-97, App.
- 25 3/6/97; Ord. 345-98, App. 11/19/98)

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1
 2 **SEC. 3.1-150. BOARD OF SUPERVISORS.** (a) **Disclosure Category 2.** Persons in
 3 this category shall disclose all investments and business positions held in business entities,
 4 and income from any business entity, engaged in the development, manufacture, distribution,
 5 sale or lease of computer hardware or software.

6 (b) **Disclosure Category 3.** Persons in this category shall disclose all interests in
 7 real property.

Designated Positions	Disclosure Categories
Member, Board of Supervisors	See Sec. 3.1-500
Clerk of the Board	1
Budget Analyst	1
Member, Assessment Appeals Board	1
Alternate Member, Assessment Appeals Board	1
Hearing Officer, Assessment Appeals	1
Assessment Appeals Administrator	3
IS Administrator III	2
Legislative Assistant	1
Chief Legislative Analyst	1
Senior Legislative Analyst	1
Legislative Analyst	1
Constituent Liaison	1

22 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 190-90, App. 5/24/90; Ord. 311-92, App.
 23 10/9/92; Ord. 352-93, App. 11/12/93; Ord. 380-94, App. 11/10/94; Ord. 56-97, App. 3/6/97;
 24 Ord. 345-98, App. 11/19/98; Ord. 340-99, File No. 992046, App. 12/30/99)

- 1 Chief Plumbing Inspector
- 2 Plumbing Inspector
- 3 Chief Housing Inspector
- 4 Senior Housing Inspector
- 5 Housing Inspector
- 6 Management Assistant (Permit Expediter)
- 7 Board of Examiners Member
- 8 Senior Plumbing Inspector
- 9 Chief Clerk
- 10 Permit Clerk II
- 11 Access Appeals Commission Member
- 12 Seismic Investigation and Hazard Survey Advisory Committee Member
- 13 Unreinforced Masonry Buildings Appeals Board Member
- 14 One-Stop Permit Manager
- 15 One-Stop Permit Coordinator
- 16 One-Stop Permit Clerk
- 17 Manager of Customer Services
- 18 (Added by Ord. 56-97, App. 3/6/97; amended by Ord. 345-98, App. 11/19/98; Ord. 340-99,
- 19 File No. 992046, App. 12/30/99)

20

21 **SEC. 3.1-160. CHILDREN AND FAMILIES FIRST COMMISSION.**

22 Designated Positions	Disclosure Categories
23 Member, Commission	All 1
24 Executive Director	
25 (Added by Ord. 340-99, File No. 992046, App. 12/30/99)	

1	Assistant to City Administrator V	3
2	Recycling Coordinator	3
3	Hotel Tax Administrator	3

4 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 190-90, App. 5/24/90; Ord. 311-92, App.
5 10/9/92; Ord. 56-97, App. 3/6/97; Ord. 340-99, File No. 992046, App. 12/30/99)

6
7 **SEC. 3.1-175. CITY ATTORNEY.** (a) **Disclosure Category 2.** Persons in this
8 category shall disclose all interests in real property, and all income from and investments in
9 business entities which hold interests in real property in the jurisdiction, and all business
10 positions held in such business entities.

11 (b) **Disclosure Category 3.** Persons in this category shall disclose all sources of
12 income, all investments, and all business positions in any business entity which does
13 business in this jurisdiction.

14 (c) **Disclosure Category 4.** Persons in this category shall disclose all income from,
15 and investments in, business entities which provide services, supplies, materials, machinery
16 or equipment of the type used by the Office of the City Attorney, and all business positions
17 held in such entities.

18	Designated Positions	Disclosure Categories
19	City Attorney	See Sec. 3.1-500
20	Chief Assistant City Attorney	1
21	Chief Deputy City Attorney	1
22	Special Assistant, Board of Supervisors	1
23	Special Assistant for Government Litigation	1
24	Chief, Litigation Division	3
25	Chief, Civil Litigation	3

1	Chief, Complex Litigation	3
2	Chief, Special Litigation	1
3	Lead Attorney, Government Law Division	1
4	Attorneys, Ethics	1
5	Attorneys, Telecommunications	3
6	Attorneys, Finance, Transactions	
7	and Special Projects	1
8	Lead Attorney, Airport	1
9	Lead Attorney, Code Enforcement	2
10	Lead Attorney, Construction	1
11	Attorneys, Contracts	1
12	Attorneys, Environment	2
13	Lead Attorneys, Health and Human Services	3
14	Lead Attorney, Labor Relations	1
15	Attorneys, Land Use	2
16	Attorneys, Taxation	1
17	Attorneys, Port	1
18	Lead Attorney, Public Utilities	1
19	Lead Attorney, Public Transportation	1
20	Attorneys, Retirement	1
21	Chief, Claims and Investigation Division	3
22	Chief, Administrative Services	4
23	Chief Financial Officer	4
24		
25		

1 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 190-90, App. 5/24/90; Ord. 311-92, App.
2 10/9/92; Ord. 380-94, App. 11/10/94; Ord. 56-97, App. 3/6/97; Ord. 224-97, App. 6/6/97; Ord.
3 345-98, App. 11/19/98)

4
5 **SEC. 3.1-180. CIVIL GRAND JURY. Disclosure Category 2.** Persons in this
6 category shall disclose all investments and business positions in business entities, and
7 income from any sources which have done business within the City and County in the
8 previous two years and income from all individuals who are employees of the City and County
9 and all interests in real property.

10 **Designated Positions** **Disclosure Categories**

11 Member, Civil Grand Jury 2

12 (Added by Ord. 190-90, App. 5/24/90; amended by Ord. 340-99, File No. 992046, App.
13 12/30/99)

14
15 **SEC. 3.1-185. CIVIL SERVICE COMMISSION. Disclosure Category 2.** Persons in
16 this category shall disclose all investments and business positions in business entities and
17 income from any source which provides, or contracts with the City and County of San
18 Francisco and its Civil Service Commission to provide, services, supplies, materials,
19 machinery or equipment to the Civil Service Commission.

20 **Designated Positions** **Disclosure Categories**

21 Civil Service Commissioner 2

22 Executive Officer 2

23 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 380-94, App. 11/01/94; Ord. 340-99, File
24 No. 992046, App. 12/30/99)

1 **SEC. 3.1-190. COMMUNITY COLLEGE DISTRICT.**

2 **Disclosure Category 2.** Persons in this category shall disclose all interests in real
3 property, investments in any business entity and income from any source which leases, rents
4 or operates from property of the San Francisco Community College District or provides or
5 contracts with the San Francisco Community College District to provide services (including
6 construction, repair and maintenance), equipment, materials, supplies, vehicles, or other
7 items of use to the San Francisco Community College District, or which may foreseeably do
8 so in the future, or which has done so within two years prior to any time period covered by a
9 statement of economic interest, and his or her status as a director, officer, partner, trustee,
10 employee or holder of any management position in any such business entity.

11 Designated Positions	11 Disclosure Categories
12 Members of the Governing Board	1
13 Chancellor Superintendent	1
14 Vice Chancellor, Administration	1
15 Vice Chancellor, Instruction	2
16 Vice Chancellor, Student Services	2
17 Vice Chancellor, Planning, Research &	
18 Institutional Development	2
19 Director, Budget	1
20 Director, Administrative Services	1
21 Dean, Contract Education	2
22 Dean, Vocational Education	2
23 Dean, International Education/Community Services	2
24 Chief Operating Officer	2
25 Provost	2

1 (Added by Ord. 190-90, App. 5/24/90; amended by Ord. 311-92, App. 10/9/92; Ord. 380-94,
2 App. 11/10/94; Ord. 340-99, File No. 992046, App. 12/30/99)

3
4 **SEC. 3.1-195. CONTROLLER.**

5 **Designated Positions** **Disclosure Categories**

6 Controller All 1

7 Chief Assistant Controller

8 Director, Accounting Operations and Systems Division

9 Personnel Officer

10 Director, Payroll and Personnel Systems Division

11 Director, Internal Audits Division

12 Director, Budget, Analysis & Reports Division

13 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 26-90, App. 1/24/90; Ord. 311-92, App.
14 10/9/92; Ord. 380-94, App. 11/10/94; Ord. 56-97, App. 3/6/97; Ord. 345-98, App. 11/19/98;
15 Ord. 340-99, File No. 992046, App. 12/30/99)

16
17 **SEC. 3.1-200. COUNTY CLERK.**

18 **Designated Positions** **Disclosure Categories**

19 County Clerk 1

20 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 380-94, App. 11/10/94; Ord. 345-98,
21 App. 11/19/98; Ord. 340-99, File No. 992046, App. 12/30/99)

22
23 **SEC. 3.1-205. DISTRICT ATTORNEY. Disclosure Category 2.** Persons in this
24 category shall disclose all income from and investments in businesses that provide services or
25 that manufacture or sell supplies of the type used by the Office of the District Attorney.

1 Designated Positions	Disclosure Categories
2 District Attorney	See Sec. 3.1-500
3 Chief Assistant District Attorney (Chief Attorney II)	1
4 Assistant Chief Attorney II	1
5 Assistant Chief Attorney I	1
6 Administrative Assistant	2
7 Consumer Fraud Attorneys and Investigators	1
8 Special Prosecution Attorneys and Investigators	1
9 Chief Investigator	1
10 Director, Family Support Bureau	2
11 Head of Felony Intake/Rebooking Section	1
12 Coordinator of Victim Services	2
13 Witness Services Specialist	2
14 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 340-99, File No. 992046, App. 12/30/99)	

15

SEC. 3.1-210. ECONOMIC OPPORTUNITY COUNCIL.

17 **Disclosure Category 2.** Persons in this category shall disclose all investments and
18 business positions in business entities and income from any source which provides, or
19 contracts with the City and County of San Francisco and its Economic Opportunity Council to
20 provide, services, supplies, materials, machinery or equipment to the Economic Opportunity
21 Council.

22 Designated Positions	Disclosure Categories
23 Executive Director	1
24 Chief Fiscal Officer	1
25 Purchasing Component Head	2

1 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 311-92, App. 10/9/92; Ord. 340-99, File
2 No. 992046, App. 12/30/99)

3
4 **SEC. 3.1-215. ELECTIONS, DEPARTMENT OF. Disclosure Category 2.** Persons
5 in this category shall disclose all interests in real property, and all investments and business
6 positions in business entities and income from any source which manufactures or sells
7 supplies, materials, machinery or equipment of the type used by the Department of Elections.

8 Designated Positions	Disclosure Categories
9 Director of Elections	1
10 All Division Managers, Department of Elections	2
11 Computer Services Manager	2
12 Administrative Analyst	2

13 (Added by Ord. 56-97, App. 3/6/97; amended by Ord. 340-99, File No. 992046, App.
14 12/30/99)

15
16 **SEC. 3.1-220. EMERGENCY SERVICES.**

17 Designated Positions	Disclosure Categories
18 Director of Emergency Services	1

19 (Added by Ord. 3-90, App. 1/1/90; amended by Ord. 340-99, File No. 992046, App. 12/30/99)

20
21 **SEC. 3.1-225. ENVIRONMENT COMMISSION.**

22 Designated Positions	Disclosure Categories
23 Commission Member	1

24 (Added by Ord. 56-97, App. 3/6/97; amended by Ord. 340-99, File No. 992046, App.
25 12/30/99)

1 meaning ascribed to it by Section 57.1 of the Administrative Code of the City and County of
2 San Francisco.

3 **Designated Positions** **Disclosure Categories**

4 Commissioner 2

5 Executive Director 1

6 Administrative Assistant 1

7 (Added by Ord. 296-91, App. 7/29/91; amended by Ord. 311-92, App. 10/9/92; Ord. 345-98,
8 App. 11/19/98)

9
10 **SEC. 3.1-245. FINE ARTS MUSEUMS.** (a) **Disclosure Category 2.** Persons in this
11 disclosure category shall disclose all investments and business positions in any
12 business entity, and income from any source, involved in the buying or selling of works of art
13 and which does business with The Fine Arts Museums of San Francisco, or has done
14 business with the Museums within the two years prior to the date any disclosure statement
15 must be filed, or which may foreseeably do business with the Museums in the future.

16 (b) **Disclosure Category 3.** Persons in this disclosure category shall disclose all
17 investments and business positions in any business entity, and income from any source,
18 engaged in the construction trade and which does business with The Fine Arts Museums of
19 San Francisco, or has done business with the Museums within the two years prior to the date
20 any disclosure statement must be filed, or which may foreseeably do business with the
21 Museums in the future.

22 (c) **Disclosure Category 4.** Persons in this disclosure category shall disclose all
23 investments and business positions in any business entity, and income from any source,
24 involved in the sale and/or installation of signalling systems, including fire alarms, burglar
25 alarms and similar systems, which does business with The Fine Arts Museums of San

1 Francisco, or has done business with the Museums within the two years prior to the date any
2 disclosure statement must be filed, or which may foreseeably do business with the Museums
3 in the future.

4 (d) **Disclosure Category 5.** Persons in this category shall disclose all investments
5 and business positions in any business entity, and income from any source, which does
6 business with The Fine Arts Museums of San Francisco, or has done business with the
7 Museums within the two years prior to the date any disclosure statement must be filed, or
8 which may foreseeably do business with the Museums in the future.

9 (e) **Disclosure Category 6.** Persons in this disclosure category shall disclose all
10 investments and business positions in any business entity, and income from any source,
11 involved in the design and publication of printed material, or the reproduction of works of art,
12 which does business with The Fine Arts Museums of San Francisco, or has done business
13 with the Museums within the two years prior to the date any disclosure statement must be
14 filed, or which may foreseeably do business with the Museums in the future.

15 (f) **Disclosure Category 7.** Persons in this disclosure category shall disclose all
16 investments and business positions in any business entity, and income from any source,
17 involved in the manufacture, sale, lease, distribution or provision of computers and computer
18 services, which does business with the Fine Arts Museums of San Francisco, or has done
19 business with the Museums within the two years prior to the date any disclosure statement
20 must be filed, or which may foreseeably do business with the Museums in the future.

21 (g) **Disclosure Category 8.** Persons in this disclosure category shall disclose all
22 investments and business positions in any business entity, and income from any source,
23 which manufactures or sells supplies, books, machinery or equipment, or which provides
24 services, of the type used by the department for which the designated employee is manager
25 or director.

1	Designated Positions	Disclosure Categories
2	Trustee	2, 3, 4
3	Director	5
4	Associate Director/Chief Curator	5
5	Director of Exhibitions and Technical Production	3, 5
6	Director of Advertising and Promotion	8
7	Director of Membership and Annual Fund	5
8	Deputy Director for Administration and Finance	5
9	Deputy Director for Development	5
10	Curator-In-Charge, American Art	2, 6
11	Curator-In-Charge, Textiles	2, 6
12	Curator-In-Charge, Africa, Oceania and the Americas	2, 6
13	Curator-In-Charge, Achenbach Foundation	
14	for Graphic Arts	2, 6
15	Head Conservator, Paintings Conservation	2
16	Head Conservator, Paper Conservation Lab	2
17	Head Conservator, Textiles Conservation	2
18	Head Conservator, Objects Conservation	2
19	Director of Registration	7
20	Buildings & Grounds Maintenance Superintendent	3, 4, 8
21	Controller	5
22	Director of Education	6
23	Director of Exhibition Planning	5
24	Librarian	6
25	Director of Publications and Graphic Design	6

1	Visitor and Visitor Services Manager	8
2	Chairman of Conservation Labs/Head of Paper	
3	Conservation Lab/Director of Collection Imaging	2, 7
4	General Manager of Museum Stores	8
5	Director of Media Relations	8
6	de Young Project Manager	3, 4, 5, 7, 8
7	(Added by Ord. 190-90, App. 5/24/90; amended by Ord. 311-92, App. 10/9/92; Ord. 380-94,	
8	App. 11/10/94; Ord. 56-97, App. 3/6/97; Ord. 345-98, App. 11/19/98)	

9

10 **SEC. 3.1-250. FIRE DEPARTMENT.** (a) **Disclosure Category 2.** Persons in this

11 disclosure category shall disclose all interests in real property, and all investments in, income

12 from, and any business position in any business entity which manufactures or sells supplies,

13 materials, machinery or equipment of the type purchased by the San Francisco Fire

14 Department, or which provides services of the type used by the Department.

15 (b) **Disclosure Category 3.** Persons in this disclosure category shall disclose all

16 investments and business positions in business entities, and income from any source, which

17 manufactures or sells supplies, materials, machinery or equipment of the type purchased by

18 the San Francisco Fire Department, or which provides services of the type used by the

19 Department.

20 (c) **Disclosure Category 4.** Persons in this disclosure category shall disclose all

21 investments and business positions in business entities, and income from any source, which

22 provides personnel training services of the type used by the Department.

23	Designated Positions	Disclosure Categories
24	Commissioners	1
25	Chief of Department	1

1	Deputy Chief of Department	1
2	Assistant Deputy Chief II	2
3	Captain, Bureau of Equipment	3
4	Assistant Chief, Airport	1
5	Fire Marshal	1
6	Assistant Chief	3
7	Operations/Training Supervisor, Airport	3
8	Fire Prevention - all ranks Employees with	
9	inspection responsibilities	1
10	Utility Plumber Supervisor I	2
11	Utility Plumber Supervisor II	2
12	H-53 EMS Chief	2
13	H-43 EMS Section Chiefs	2
14	(Added by Ord. 190-90, App. 5/24/90; amended by Ord. 345-98, App. 11/19/98)	

15

SEC. 3.1-255. HAZARDOUS MATERIALS ADVISORY COMMITTEE.

17 **Disclosure Category 2.** Persons in this category shall disclose all interests in real
18 property which has an existing, proposed or abandoned storage facility of hazardous
19 materials, as defined by Sections 1110 et seq. of the San Francisco Health Code, and all
20 business positions in business entities which are subject to the regulatory, permit or licensing
21 provisions of the Hazardous Materials Permit and Disclosure Ordinance. An official occupies
22 a "business position" if he or she is a director, officer, partner, trustee, employee or holds any
23 position of management.

24	Designated Positions	Disclosure Categories
25	Member	2

1 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 340-99, File No. 992046, App. 12/30/99)

2
3 **SEC. 3.1-260. HEALTH AUTHORITY. Disclosure Category 2.** Persons in this
4 category shall disclose all investments in and business positions with business entities,
5 including nonprofit entities, which may receive funds from the Health Authority, or contract
6 with the Health Authority, or provide services of the type utilized by the Health Authority,
7 including but not limited to health care providers and community-based health and social
8 service organizations. Persons in this category shall also disclose all income from persons
9 and entities that may receive funds from the Health Authority, or contract with the Health
10 Authority, or provide services of the type utilized by the Health Authority, including but not
11 limited to health care providers and community-based health and social service organizations.

12 Designated Positions	Disclosure Categories
13 Members of the Governing Board	2
14 Chief Executive Officer	2
15 Director of Business Development	2
16 Consultants*	2

17 *With respect to consultants, the CEO of the Health Authority may determine in writing
18 that a particular consultant is hired to perform a range of duties that are limited in scope and
19 thus the consultant is not required to comply with the disclosure requirements. Such a
20 determination shall include a description of the consultant's duties and, based on those duties,
21 a statement of the applicable disclosure requirements. The CEO shall forward a copy of this
22 determination to the Ethics Commission. The determination is a public record and shall be
23 retained for public inspection. (Added by Ord. 245-97, App. 6/13/97)

1	(Contracts Office Only)	2
2	Principal Administrative Analyst	
3	(Contracts Office Only)	2
4	Materials and Supplies Supervisor	2
5	Materials Coordinator	2
6	Chief Medical Records Administrator	2
7	Director of Patient Financial Services	
8	and Admissions	2
9	Hospital Assistant Administrator	1
10	Hospital Associate Administrator	1
11	Associate Administrator, Medical Services, LHH	1
12	Administrator, LHH	1
13	Director, Dental Division	1
14	Senior Physician Specialist	
15	(Leadership Positions Only)	2
16	Supervising Physician Specialist	2
17	Radiologist/Chief of Medical Staff	1
18	Head Nurse	2
19	Assistant Director of Nursing	1
20	Director of Nurses, LHH	1
21	Senior Pharmacist	2
22	Director of Pharmaceutical Services	2
23	Pharmacy Director, LHH	2
24	Director, Public Health Laboratories	2
25	Administrative Chef	2

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1	Director of Food Services	2
2	Assistant General Services Manager	2
3	General Services Manager	2
4	Associate Director, AIDS	1
5	Deputy Director for Business and Operations	1
6	Deputy Director for Mental Health Programs	1
7	Deputy Director, Public Health Programs	1
8	Medical Social Worker Supervisor	2
9	Chief, Medical Social Services	2
10	Conservatorship/Case Management Supervisor	2
11	Environmental Health Inspector	3
12	Senior Environmental Health Inspector	3
13	Principal Environmental Health Inspector	3
14	Director, Bureau of Environmental Health Services	1
15	Assistant Director, Bureau of Environmental	
16	Health Services	1
17	Industrial Hygienist	2
18	Building and Grounds Maintenance Superintendent	2
19	Chief Stationary Engineer	2
20	Institutional Police Lieutenant	2
21	MIS Director	1
22	Administrator, Health Information Services	2
23	Associate Affirmative Action Coordinator	2
24	Secretary, Health Commission	1
25	Director of Patient Accounts	2

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1	Senior Storekeeper	2
2	Assistant Materials Coordinator	2
3	Director of Medical Records	2
4	Senior Associate Administrator	1
5	Medical Director, DPH	1
6	Nursing Supervisor	2
7	Assistant Director of Nursing, Staff Development	
8	and Research	1
9	Assistant Director of Nursing, LHH	2
10	Rad. Tech. Supervisor	2
11	Director, Radiology	1
12	Emergency Medical Services Agency Specialist	2
13	Rehabilitation Coordination	2
14	Employee Referral Program Director (EAP)	2
15	Food Service Manager	2
16	Principal Disease Control Investigator	2
17	Chief, Bureau of Records and Statistics	2
18	Director of Health Program Planning	1
19	Chief, Bureau of Health Education	2
20	Director, WIC Program, DPH	1
21	Director, Business and Operations Support, MHP	1
22	Deputy Director of Adult Services, CMHS	1
23	Deputy Director of Institutions, DPH	1
24	Program Chief, CPHS	1
25	Hospital Eligibility Manager	2

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1	DPH Contract Compliance Officer II	2
2	Contract Compliance Officer I	2
3	Assistant Industrial Hygienist	2
4	Senior Industrial Hygienist	2
5	Hazardous Materials Permit Program Manager	2
6	Manager, Office of Health and Safety	2
7	Director of Toxics and Safety Services	1
8	Institutional Police Sergeant	2
9	Institutional Police Captain	2
10	Director of Homeless Programs	2
11	Director of Public Information	2
12	Telecommunications Systems Director	2
13	Assistant Director, MIS	2
14	Health Center Manager	2
15	Elig. Section Manager	2
16	Special Assistant (VII-XVII)	2
17	Director of Activities, Therapy and Volunteer Services	2
18	Nursing Supervisor, Psychiatry	2
19	(Added by Ord. 3-90, App. 1/5/90; amended by Ord. 311-92, App. 10/9/92; Ord. 380-94, App.	
20	11/10/94; Ord. 56-97, App. 3/6/97; Ord. 202-98, App. 6/19/98; Ord. 345-98, App. 11/19/98;	
21	Ord. 340-99, File No. 992046, App. 12/30/99)	

22

23 **SEC. 3.1-270. HOUSING AUTHORITY.** (a) **Disclosure Category 2.** Persons in this

24 disclosure category shall disclose all investments in, income from, and any business position

25 in any business entity which leases, rents or operates from property of the San Francisco

1 Housing Authority, or which provides or contracts with the Housing Authority to provide,
2 services, supplies, materials, machinery or equipment to the Authority, or which has done so
3 within the two years prior to the filing of any disclosure statement, or which may foreseeably
4 do so in the future.

5 (b) **Disclosure Category 3.** Persons in this disclosure category shall disclose all
6 income from any person who applies for housing with the San Francisco Housing Authority, or
7 who has submitted such an application within the two years prior to the filing of any disclosure
8 statement.

9 (c) **Disclosure Category 4.** Persons in this disclosure category shall disclose all
10 interests in real property in the City and County of San Francisco, and investments and
11 business positions in business entities and income from any source which owns, leases, rents
12 or manages any real property in the City and County of San Francisco.

13 Designated Positions	Disclosure Categories
14 Commissioners	1
15 Executive Director	1
16 Deputy Executive Director	1
17 Executive Assistant to the Executive Director	1
18 Inspector General	1
19 General Counsel	1
20 Director of Internal Audit	1
21 Director of Finance	2
22 Accounting Manager	2
23 Materials Manager	2
24 Material Control Officer	2
25 Procurement Officer	2

1	Buyer	2
2	Budget Supervisor	2
3	Senior Project Manager	2
4	Project Manager	2
5	Hope VI/New Construction Manager	2
6	Modernization Manager	2
7	Construction Inspector	2
8	Engineering Associate	2
9	Senior Industrial Hygienist	2
10	Architectural Associate I	2
11	Architectural Associate II	2
12	Public Information Officer	2
13	Director of Human Resources	2
14	Recruitment/Labor Relations Manager	2
15	Safety Specialist	2
16	Affirmative Action Officer	2
17	Administrator of Modernization & Rehabilitation	1
18	Administrator of Business Administration & Support	1
19	Administrator of Housing Development	1
20	Customer Service Administrator	1
21	Administrator of Leased Housing	1
22	Administrator of Social Services	1
23	Assistant General Counsel	2
24	Senior Attorney	2
25	Certified Paralegal	2

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1	Risk Management Officer	2
2	Administrative Officer	2
3	Accounting Supervisor	2
4	Director of Management Information Systems	2
5	Director of Contracting	2
6	Labor & Employee Relations Specialist	2
7	Director of Diversity & Training	2
8	Director of Administrative Services	2
9	Public Safety Specialist	2
10	District Customer Service Director	2
11	Director of Central Services	2
12	Administrative Director	2
13	Planning and Program Development Manager	2
14	General Manager, Family Sweep	2
15	General Manager, Senior Sweep	2
16	Deputy Administrator of Social Services	2
17	Chief of Economic & Employment Development	2
18	Grants Manager	2
19	Associate Grants Manager	2
20	Director of OCRI	2
21	Director of Safety	2
22	Director of Senior Social Services	2
23	Financial Advisor	2
24	Employment & Relocation Services Manager	2
25		

1 (Added by Ord. 190-90, App. 5/24/90; amended by Ord. 311-92, App. 10/9/92; Ord. 56-97,
2 App. 3/6/97; Ord. 345-98, App. 11/19/98; Ord. 340-99, File No. 992046, App. 12/30/99)

3
4 **SEC. 3.1-275. HUMAN RESOURCES DEPARTMENT. Disclosure Category 2.**

5 Persons in this category shall disclose all investments and business positions in business
6 entities and income from any source which provides, or contracts with the City and County of
7 San Francisco and its Human Resources Department to provide, services, supplies,
8 materials, machinery or equipment to the Human Resources Department.

9 Designated Positions	Disclosure Categories
10 Human Resources Director	1
11 Executive Director, Health Services System	1
12 Members, Health Service Board	1
13 Employee Relations Director	2
14 Division Manager, Personnel	2
15 Assistant Division Manager, Personnel	2
16 Affirmative Action Coordinator	2
17 Director of Training	2

18 (Added by Ord. 380-94, App. 11/10/94; amended by Ord. 345-98, App. 11/19/98)

19
20 **SEC. 3.1-280. HUMAN RIGHTS COMMISSION. Disclosure Category 2.** Persons in

21 this position shall disclose all investments and business positions in business entities,
22 interests in real property, and sources of income subject to the regulatory, permit or licensing
23 authority of the Human Rights Commission.

24 Designated Positions	Disclosure Categories
25 Members, Human Rights Commission	2

1	Executive Director	1
2	Contract Compliance Officer II	2
3	Contract Compliance Officer I	2
4	(Added by Ord. 3-90, App. 1/5/90; amended Ord. 345-98, App. 11/19/98)	

5

6 **SEC. 3.1-285. HUMAN SERVICES COMMISSION.**

7 (a) **Disclosure Category 2.** Persons in this category shall disclose all investments
8 and business positions in business entities and income from any source which provides, or
9 contracts with the City and County of San Francisco and its Department of Human Services to
10 provide services, supplies, materials, machinery or equipment to the Human Services
11 Department.

12 (b) **Disclosure Category 3.** Persons in this category shall disclose all investments
13 and business positions in business entities and income from any source which owns or
14 operates any board and care home, foster institution for children or home health agency in the
15 jurisdiction.

16 (c) **Disclosure Category 4.** Persons in this category shall disclose all investments
17 and business positions in business entities and income from any source which is engaged in
18 the sale of products or services related to data processing.

19	Designated Positions	Disclosure Categories
20	Members, Human Services Commission	1
21	Executive Director	1
22	Deputy Directors	1
23	Special Assistants to the Executive Director for	
24	Welfare Reform	2
25	Director, Planning and Budget	1

1 equipment, supplies, machinery, materials or services, or has done so within two years prior
2 to the filing of any statement of economic interest, or may foreseeably do so in the future.

3 **Designated Positions** **Disclosure Categories**

4 Commissioner 2

5 Chief Probation Officer 1

6 (Added by Ord. 190-90, App. 5/24/90)

7
8 **SEC. 3.1-300. LANDMARKS PRESERVATION ADVISORY BOARD.**

9 **Designated Positions** **Disclosure Categories**

10 Board Member 1

11 (Added by Ord. 190-90, App. 5/24/90)

12
13 **SEC. 3.1-305. LAW LIBRARY. Disclosure Category 2.** Persons in this category
14 shall disclose all sources of income from any business that sells or provides supplies,
15 materials, books, machinery or services or equipment of the type utilized by the San
16 Francisco Law Library in an aggregate of \$5,000 per annum or more.

17 **Designated Positions** **Disclosure Categories**

18 Law Librarian—Secretary All 2

19 Chief Assistant Law Librarian

20 Members of the Board of Trustees

21 (Added by Ord. 3-90, App. 1/5/90; amended Ord. 345-98, App. 11/19/98)

22
23 **SEC. 3.1-310. LIBRARY, PUBLIC. Disclosure Category 2.** Persons in this category
24 shall disclose all investments and business positions in business entities and income from any
25 source which provides, or contracts with the City and County of San Francisco and its Public

1 Library Department to provide services, supplies, materials, machinery or equipment to the
2 Public Library Department.

3 **Designated Positions** **Disclosure Categories**

4 Commissioners 1

5 City Librarian 1

6 Deputy City Librarian 2

7 Librarian IV 2

8 Secretary to the Library Commission 2

9 Librarians, Order Department 2

10 Librarian, S.F. History Room 2

11 Librarian, Special Collections 2

12 Librarian, Periodical Processing 2

13 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 345-98, App. 11/19/98); Ord. 340-99, File
14 No. 992046, App. 12/30/99

15

16 **SEC. 3.1-315. MAYOR'S OFFICE.**

17 **Designated Positions** **Disclosure Categories**

18 Mayor See Sec. 3.1-500

19 Administrative Secretary to the Mayor 1

20 Mayor's Program Manager 1

21 Special Assistant for Program Development 1

22 Coordinator for Citizen Involvement 1

23 Intergovernmental Affairs Coordinator 1

24 Deputy Director, Mayor's Criminal Justice Council 1

25 Port Director/Treasure Island 1

1	Director, Mayor's Office of Business & Economic	
2	Development/Chief Economic Advisor	1
3	Special Assistant II	1
4	Special Assistant III	1
5	Special Assistant IV	1
6	Special Assistant V	1
7	Special Assistant VI	1
8	Special Assistant VII	1
9	Special Assistant VIII	1
10	Special Assistant IX	1
11	Special Assistant X	1
12	Special Assistant XI	1
13	Special Assistant XII	1
14	Special Assistant XIII	1
15	Special Assistant XIV	1
16	Special Assistant XV	1
17	Special Assistant XVI	1
18	(Added by Ord. 3-90, App. 1/5/90; amended by Ord. 380-94, App. 11/10/94; Ord. 345-98,	
19	App. 11/19/98)	

20

21 **SEC. 3.1-320. MEDICAL EXAMINER.** (a) **Disclosure Category 2.** Persons in this

22 category shall disclose all investments and business positions in business entities and income

23 from any source which provides, or contracts with the City and County of San Francisco and

24 its Medical Examiner to provide, services, supplies, materials, machinery or equipment to the

25 Medical Examiner.

1 (b) **Disclosure Category 3.** Persons in this category shall disclose all investments
2 and business positions in business entities, interests in real property, and sources of income
3 subject to the regulatory, permit or licensing authority of the Medical Examiner.

4 **Designated Positions** **Disclosure Categories**

5 Chief Medical Examiner 1

6 Medical Examiner's Administrator 2, 3

7 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 345-98, App. 11/19/98)

8
9 **SEC. 3.1-325. PARKING AUTHORITY.**

10 **Designated Positions** **Disclosure Categories**

11 Members of the Parking Authority All 1

12 Director

13 Deputy Director

14 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 345-98, App. 11/19/98)

15
16 **SEC. 3.1-330. PARKING AND TRAFFIC, DEPARTMENT OF.**

17 **Designated Positions** **Disclosure Categories**

18 Commissioners All 1

19 Executive Director

20 Deputy Director, Finance and Administration

21 Deputy Director, Traffic

22 Deputy Director, Enforcement

23 Deputy Director, Parking Services

24 (Added by Ord. 190-90, App. 5/24/90; amended by Ord. 380-94, App. 11/10/94; Ord 345-98,

25 App. 11/19/98; Ord. 340-99, File No.

1 992046, App. 12/30/99)

2
3 **SEC. 3.1-335. PLANNING DEPARTMENT.** (a) **Disclosure Category 2.** Persons in
4 this category shall disclose all interests in real property, and all income from, and investments
5 and business positions in any business entity that is principally involved in real estate
6 development, architecture, design, engineering, real estate brokerage, real estate finance or
7 appraisal, or historic preservation.

8 (b) **Disclosure Category 3.** Persons in this category shall disclose all investments
9 and business positions in business entities and income from any source which provides, or
10 contracts with the City and County of San Francisco and the Department of City Planning to
11 provide, services, supplies, materials, machinery or equipment to the Department of City
12 Planning.

13 Designated Positions	Disclosure Categories
14 Planning Commissioners	See Sec. 3.1-500
15 Director of Planning	1
16 Special Assistant XVI	1
17 Assistant Director—Implementation	1
18 Planner V—General	1
19 Planner V—Zoning	1
20 Environmental Review Officer	1
21 Administrative Secretary, City Planning Commission	1
22 Planner IV—General	1
23 Planner IV—Zoning	1
24 Planner IV—Environmental Review	1
25 Planner IV—Urban Systems Analyst	1

1	Planner III—Urban Design	2
2	Planner III—Transportation	2
3	Planner III—General	2
4	Planner III—Zoning	2
5	Planner III—Environmental Review	2
6	Planner II	2
7	Planner I	2
8	Transit Planner IV	1
9	Transit Planner III	2
10	Transit Planner II	2
11	Architectural Assistant II	2
12	Architectural Assistant I	2
13	Consultants*	1

14 *With respect to consultants, the Director of Planning may determine in writing that a
15 particular consultant is hired to perform a range of duties that are limited in scope and thus is
16 not required to comply with the disclosure requirements described in this category. Such
17 determination shall include a description of the consultant's duties and, based upon that
18 description, a statement of the extent of disclosure requirements. The Director of Planning
19 shall forward a copy of this determination to the Board of Supervisors. Nothing herein
20 excuses any such consultant from any other provision of this Conflict of Interest Code.
21 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 190-90, App. 5/24/90; Ord. 311-92, App.
22 10/9/92; Ord. 380-94, App. 11/10/94; Ord. 56-97, App. 3/6/97; Ord..345-98, App. 11/19/98)

23
24 **SEC. 3.1-340. POLICE DEPARTMENT.** (a) **Disclosure Category 2.** Persons in this
25 category shall disclose all investments and business positions in business entities and income

1 from any source which provides, or contracts with the City and County of San Francisco and
2 its Police Department to provide, services, supplies, materials, machinery or equipment to the
3 Police Department.

4 (b) **Disclosure Category 3.** Persons in this category shall disclose all investments
5 and business positions in business entities, interests in real property, and income from any
6 source subject to the regulatory, permit or licensing authority of the Police Department.

7 **Designated Positions** **Disclosure Categories**

8	Police Commissioners	1
9	Chief of Police	1
10	Deputy Chief of Police	1
11	Assistant Chief of Police	1
12	All Captains of Police	1
13	Commanders of Police	1
14	Commanding Officers, District Stations	1
15	Commanding Officer, Planning Division	2
16	Commanding Officer, Vice Crimes	1
17	Commanding Officer, Property Control Division	1
18	Commanding Officer, Fiscal Division	1
19	Commanding Officer, Legal Division	1
20	Legal Officers	1
21	Commanding Officer, Permits Section	3
22	Officer in Charge, Permit Section	3
23	Chief's Permit Hearing Officer	3
24	Officer in Charge of the Police Law	
25	Enforcement Services Unit	1

1	Officer in Charge of Management Control Division	1
2	Officer in Charge of Management Information	
3	Systems	1
4	Chief Accounting Officer	2
5	Commanding Officer—Special Investigations	1
6	Commanding Officer—Narcotics Division	1
7	Lieutenant—Vice Crimes	1
8	Lieutenant—Narcotics	1
9	(Added by Ord. 3-90, App. 1/5/90; amended by Ord. 311-92, App. 10/9/92; Ord. 56-97, App.	
10	3/6/97; Ord. 345-98, App. 11/19/98)	

11

12 **SEC. 3.1-345. PORT COMMISSION. Disclosure Category 2.** Persons in this
13 category shall disclose all investments in any business entity and income from any source
14 which leases, rents or operates from property under the jurisdiction of the Port Commission,
15 or which provides, or contracts with the City and County of San Francisco or the Port
16 Commission to provide, services (including construction, repair and maintenance), equipment,
17 materials, supplies, vehicles, or other items of use to the Port Commission, or which may
18 foreseeably do so in the future, or which has done so within two years prior to any time period
19 covered by a statement of economic interest, and his or her status as a director, officer,
20 partner, trustee, employee, or holder of any management position
21 in any such business entity.

22	Designated Positions	Disclosure Categories
23	Port Commissioners	1
24	Port Director	1
25	Commercial Property Manager	2

1	Assistant Rental Manager	2
2	Cargo Operations Manager	2
3	Wharfinger II	2
4	Chief Harbor Engineer	1
5	Chief Building Inspector	2
6	Building Inspector	2
7	Construction Inspector	2
8	Supervising Fiscal Officer	1
9	Superintendent, Harbor Maintenance	1
10	Deputy Directors, Port	1
11	Government and Public Affairs Manager, Port	1
12	Cargo Sales and Marketing Representative	2
13	Senior Property Manager	2
14	Manager, Port Planning and Development	2
15	Manager, Regulatory and Environmental Affairs	2
16	Marketing Manager	1
17	Financial Manager	1
18	Assistant Superintendent Harbor Maintenance	2
19	Manager, Leasing and Tenant Services	1
20	Administrative Services Officer	2

21 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 311-92, App. 10/9/92; Ord. 380-94, App.
22 11/10/94; Ord. 56-97, App. 3/6/97; Ord. 156-98, App. 5/8/98; Ord. 345-98, App. 11/19/98)

23

24 **SEC. 3.1-350. PRIVATE INDUSTRY COUNCIL. (a) Disclosure Category 2.**

25 Persons in this disclosure category shall disclose all investments and positions of

1 management in, and income from any organization that, during the period being reported, has
2 proposed to enter into or has entered into a subcontract or other financial agreement with the
3 Private Industry Council of San Francisco, Inc.

4 (b) **Disclosure Category 3.** Members of the San Francisco Private Industry
5 Council and of its Audit, Planning, Refugee, or any other committee that selects or
6 recommends the selection of subcontractors of the Private Industry Council of San Francisco,
7 Inc. shall disclose all income from, and investments and positions of management in any
8 organization that, during the, period being reported, has been a candidate for such a
9 subcontract subject to the Council's selection.

10 Designated Positions	Disclosure Categories
11 Member, San Francisco Private Industry Council	3
12 Member, Designated Committee of the Council	3
13 President	2, 3
14 Vice Presidents	2, 3
15 Director, Welfare-to-Work	2, 3
16 Controller	2, 3
17 Consultants*	1

18 *With respect to consultants, the President of the Private Industry Council may
19 determine in writing that a particular consultant is hired to perform a range of duties that are
20 limited in scope and thus is not required to comply with the disclosure requirements described
21 in this category. Such determination shall include a description of the consultant's duties and,
22 based upon that description, a statement of the extent of disclosure requirements. The
23 President shall forward a copy of this determination to the Board of Supervisors. Nothing
24 herein excuses any such consultant from any other provision of this Conflict of Interest Code.

1 (Added by Ord. 190-90, App. 5/24/90; amended by Ord. 380-94, App. 11/10/94; Ord. 56-97,
2 App. 3/6/97; Ord. 345-98, App. 11/19/98; Ord. 340-99, File No. 992046, App. 12/30/99)

3
4 **SEC. 3.1-355. PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN.**

5 Designated Positions	6 Disclosure Categories
7 Public Administrator & Public Guardian	8 All 1
9 Assistant Public Administrator/Public Administrator	
10 Attorney for Public Administrator	
11 Senior Attorney, Civil & Criminal	
12 Senior Admin. Analyst (Deputy for Finance and Administration)	
13 (Added by Ord. 3-90, App. 1/5/90; Ord. 345-98, App. 11/19/98)	

14 **SEC. 3.1-360. PUBLIC DEFENDER.**

15 Designated Positions	16 Disclosure Categories
17 Public Defender	18 1
19 (Added by Ord. 3-90, App. 1/5/90)	

20 **SEC. 3.1-365. PUBLIC UTILITIES COMMISSION.**

21 (a) **Disclosure Category 2.** Persons in this category shall disclose all investments
22 in any business entity and any income from a source which, within the previous two years, did
23 or in the future foreseeably might, lease, rent, or operate from the property of the Clean Water
24 Enterprise or provide or contract with the Clean Water Enterprise to provide service (including
25 construction, repair, and maintenance), equipment, materials, supplies, vehicles, or other
business entity.

1 (b) **Disclosure Category 3.** Persons in this category shall disclose all investments
 2 in any business entity and any income from a source which, within the previous two years, did
 3 or in the future foreseeably might, lease, rent, or operate from the property of the San
 4 Francisco Water Department or provide or contract with the San Francisco Water Department
 5 to provide service (including construction, repair, and maintenance), equipment, materials,
 6 supplies, vehicles, or other items of use to the San Francisco Water Department, and his or
 7 her business position in any such business entity.

8 (c) **Disclosure Category 4.** Persons in this category shall disclose all investments
 9 in any business entity and any income from a source which, within the previous two years, did
 10 or in the future foreseeably might, lease, rent, or operate from the property of Hetch Hetchy or
 11 provide or contract with Hetch Hetchy to provide service (including construction, repair, and
 12 maintenance), equipment, materials, supplies, vehicles, or other items of use to Hetch Hetchy,
 13 and his or her business position in any such business entity.

14 **Designated Positions** **Disclosure Categories**

15 Public Utilities Commission & General Manager All 1

16 Member, Public Utilities Commission

17 General Manager of Public Utilities

18 Special Assistant XV

19 Administrative Secretary, Public Utilities Commission

20 Assistant General Manager, Public Utilities Commission

21 Contract Compliance Officer*

22 Consultant**

24 **Hetch Hetchy Water & Power**

25 Manager, Bureau of Energy Conservation 1

1	Maintenance Engineering Manager	1
2	Superintendent of Operations	1
3	Administrative Engineer	4
4	General Manager, Hetch Hetchy	1
5	Water and Power Specialist	4
6	Water and Power Resources Manager	1
7	Maintenance and Repair Superintendent	4
8	Electrical Operation and Maintenance	
9	Superintendent	4
10	Power Generation Technician I	4
11	Power Generation Technician II	4
12	Senior Power Generation Technician	4
13	Power Generation Supervisor	4
14	Mechanical Shop and Equipment Superintendent	4
15	Manager, Regulatory and Environmental Affairs	4
16	Sanitary Engineering Technician	4
17	Senior Mechanical Engineer	4
18	Senior Electrical Engineer	4
19	Electrical Engineer	4
20	Senior Administrative Analyst	4
21		
22	Water Supply and Treatment Division	
23	Operations Manager	1
24	Urban Forester	3
25	Watershed Resources Manager	3

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1	Water Supply and Treatment Manager	1
2	Water Construction and Maintenance	
3	Superintendent	3
4	Watershed Forester	3
5	Principal Civil Engineer	3
6		
7	City Distribution Division	
8	City Distribution Division Manager	1
9	Senior Civil Engineer	3
10	Superintendent, Buildings and Grounds	3
11	Water Construction and Maintenance Superintendent	3
12	Water Shops and Equipment Superintendent	3
13	Stores and Equipment Asst. Supervisor	3
14		
15	Water Pollution Control Division	
16	Administrative Services Manager	2
17	Supervisor of Lab, Water Quality Control	2
18	Public Buildings Maintenance and Repair	
19	Assistant Superintendent	2
20	Sewage Treatment Plant Superintendent	2
21	Manager, Bureau of Water Pollution Control	1
22	Deputy Manager, Bureau of Water Pollution Control	1
23	Chief Stationary Engineer	2
24	Stationary Engineer—Sewage Inventory Analysis	2
25	Senior Stationary Engineer	2

1		
2	Water Quality Bureau	
3	Special Assistant XV	3
4	Supervisor of Laboratories	3
5	Water Quality Division Manager	1
6	Senior Sanitary Engineer	3
7	Administrative Services Manager	3
8	Special Assistant XVI	3
9		
10	Customer Service Bureau	
11	Manager, Customer Service Bureau	1
12	Water Conservation Administrator	3
13		
14	Bureau of Engineering	All 1
15	Special Assistant XVII	
16	Special Assistant XVIII	
17	Manager, Utilities Engineering Bureau	
18	Principal Civil Engineer	
19		
20	Bureau of Commercial Land Management	All 1
21	Director, Bureau of Commercial Land Management	
22	Land Use Aide	
23	Senior Real Property Officer	
24	Real Property Officer	
25	Assistant Civil Engineer	

1	Engineering Associate II	
2		
3	Bureau of Finance	All 1
4	Head Accountant	
5	Supervising Fiscal Officer	
6	Assistant General Manager, Finance	
7	Senior Administrative Analyst	
8	Principal Administrative Analyst	
9	Rate Administrator	
10	Financial Manager	
11	Special Assistant XV	
12		
13	Bureau of Management Information Systems	
14	Manager, Bureau of Management	
15	Information Systems	1
16		
17	Bureau of System Planning and	
18	Regulatory Compliance	All 1
19	Manager, Bureau of System Planning and	
20	Regulatory Compliance	
21	Water Resource and Planning Manager	
22	Project Manager IV	
23	Special Assistant XV	
24		
25		

1	Bureau of Environmental Regulation and Management	
2	Senior Water Services Clerk	2
3	Senior Administrative Analyst	2
4	Bureau Chief	1
5	Administrative Engineer	2
6	Junior Civil Engineer	2
7	Assistant Civil Engineer	2
8	Associate Civil Engineer	2
9	Senior Civil Engineer	2
10	Principal Engineer	2
11	Sanitary Engineering Technician	2
12	Wastewater Control Inspector	2
13	Supv. Wastewater Control Inspector	2
14	Manager, Regulatory and Environmental Affairs	1
15	Senior Industrial Hygienist	1

16 *All personnel, except clerical, assigned by the Human Rights Commission to the
17 Public Utilities Commission to serve as Contract Compliance Officers shall comply with the
18 filing requirements for Contract Compliance Officers under this Section (Sec. 58.315).

19 **With respect to consultants, the General Manager of Public Utilities may determine
20 that a particular consultant is hired to perform a range of duties that fall within those required
21 to comply with the disclosure requirements of this Conflict of Interest Code. (Added by Ord. 3-
22 90, App. 1/5/90; amended by Ord. 380-94, App. 11/10/94; Ord. 56-97, App. 3/6/97; Ord. 345-
23 98, App. 11/19/98; Ord. 340-99, File No. 992046, App. 12/30/99)

24
25

1 **SEC. 3.1-370. PUBLIC TRANSPORTATION COMMISSION.**

2 **Disclosure Category 2.** Persons in this category shall disclose all sources of income,
3 investments and his or her status as a director, officer, partner, trustee, employee, or holder of
4 a management position in any business entity.

5 Designated Positions	6 Disclosure Categories
7 Member, Public Transportation Commission	1
8 Director of Public Transportation	1
9 Deputy Director of Capital Projects	1
10 Deputy Director of Finance, Administration and 11 Personnel	1
12 Deputy Director of Maintenance	1
13 Deputy Director of Operations	1
14 Administrative Secretary, Public Transportation 15 Commission	1
16 Senior Industrial Hygienist	1
17 Deputy General Manager, Engineering and 18 Administration	1
19 Senior Administrative Analyst	1
20 Transit Manager II	1
21 Transit Manager III	1
22 System Safety Inspector	1
23 Director of Service Planning	1
24 Automotive Maintenance Manager	1
25 Administrative Service Manager	1
Material Coordinator	1

1	Assistant Material Coordinator	1
2	Electrical Transit Equipment Supervisor	1
3	Automotive Transit Shop Supervisor I	2
4	Electrical Transit Shop Supervisor I	2
5	Transit Equipment Engineer	2
6	LRV Equipment Engineer	2
7	Senior Management Assistant	1
8	Janitorial Service Supervisor	2
9	Senior Civil Engineer	1
10	Senior Electrical Engineer	1
11	Senior Mechanical Engineer	1
12	Superintendent, Buildings and Grounds	1
13	Chief Stationary Engineer	2
14	Signal and Electrical Supervisor	2
15	Signal and Systems Engineer	2
16	Staff Assistant VII Special Projects	1
17	Powerhouse Electrical Supervisor II	2
18	Manager of Capital Finance	1
19	Deputy Director of Resource, Planning and	
20	Development	1
21	Chief Accountant	1
22	Supervising Fiscal Officer	1
23	Principal Administrative Analyst	1
24	Senior Administrative Analyst	1
25	Manager of Engineering Services	1

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1	Manager of Construction Services	1
2	Manager of Project Management	1
3	Manager of Capital Planning	1
4	Project Manager	1
5	Principal Civil Engineer	1
6	Departmental Personnel Director	1
7	Contract Compliance Officer II	1
8	Contract Compliance Officer I	1
9	Chief, Protective Services and Investigation Bureau	1
10	Manager of Information Services	1
11	General Superintendent Cable Car and Rail	1
12	Superintendent Overhead Lines	1
13	Director Community Affairs	1
14	(Added by Ord. 380-94, App. 11/10/94; amended by Ord. 56-97, App. 3/6/97; Ord. 345-98,	
15	App. 11/19/98; Ord. 340-99, File No. 992046, App. 12/30/99)	

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SEC. 3.1-375. PUBLIC WORKS DEPARTMENT.

Designated Positions	Disclosure Categories
General Office	All 1
Director of Public Works	
Assistant to Director of Public Works	
Deputy Director of Public Works and Engineering	
Deputy Director of Public Works and Operations	
Claims Adjustor	

- 1 **Office of Financial Management and**
- 2 **Administration** All 1
- 3 Deputy Director for Financial Management and
- 4 Administration
- 5 Financial Manager
- 6 Chief of Computer Services
- 7 Contract Administration Head
- 8
- 9 **Bureau of Architecture** All 1
- 10 City Architect
- 11 Assistant City Architect
- 12
- 13 **Bureau of Building Repair** All 1
- 14 Public Building Maintenance and Repair Assistant Superintendent
- 15 Public Building — Maintenance and Repair Superintendent
- 16
- 17 **Bureau of Engineering** All 1
- 18 Chief of Engineering
- 19 Principal Civil Engineer
- 20 Claims Adjuster
- 21 Project Manager I
- 22 Project Manager II
- 23 Project Manager III
- 24 Project Manager IV
- 25

- 1 **Bureau of Environmental Services** All 1
- 2 Street Cleaning and Planting Superintendent
- 3 Street Cleaning and Planting Assistant Superintendent
- 4
- 5 **Bureau of Street and Sewer Repair** All 1
- 6 Superintendent of Street and Sewer Repair
- 7 Assistant Superintendent of Streets and Sewer Repair
- 8 Mobile Equipment Supervisor
- 9 Assistant Mobile Equipment Supervisor
- 10
- 11 **Bureau of Construction Management** All 1
- 12 Bureau Chief
- 13 Principal Engineer
- 14 Senior Engineer
- 15 Administrative Engineer
- 16 Civil Engineer
- 17 Associate Civil Engineer
- 18 Assistant Civil Engineer
- 19 Chief Surveyor
- 20 Building Inspector
- 21 Construction Inspector
- 22 Cost Estimator
- 23 Construction Contract Specialist II
- 24 Construction Contract Specialist I
- 25 Junior Civil Engineer

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Bureau of Street Use and Mapping All 1
Associate Civil Engineer

Bureau of Subdivision, Surveys and Mapping All 1
Bureau Chief
Senior Plan Checker
Chief Surveyor
Construction Inspector
Engineering Associate II

(Added by Ord. 3-90, App. 1/5/90; amended by Ord. 311-92, App. 10/9/92; Ord. 380-94, App. 11/10/94; Ord. 56-97, App. 3/6/97; Ord. 345-89, App. 11/19/98)

SEC. 3.1-380. PURCHASING DEPARTMENT. (a) **Disclosure Category 2.** Persons in this category shall disclose all interests in real property.

(b) **Disclosure Category 3.** Persons in this category shall disclose all investments and business positions in business entities and income from any source which provides, or contracts with the City and County of San Francisco and its Purchasing Department to provide commodities or services to the City and County of San Francisco, or has provided commodities or services to the City and County of San Francisco within the last two years.

(c) **Disclosure Category 4.** Persons in this category shall disclose all investments and business positions in business entities and income from any source which provides, or contracts with the City and County of San Francisco to provide, or has provided within the last two years, commodities or services to either the Division of the Purchasing Department to

1 which the person is assigned, or the Department (other than the Purchasing Department), to
2 which the person is assigned.

3	Designated Positions	Disclosure Categories
4	Director of Purchasing	1
5	Assistant Director	2, 3
6	Supervising Purchaser	3
7	Senior Purchaser	3
8	Purchaser	3
9	Assistant Purchaser	3
10	Reproduction Manager	4
11	Senior Storekeeper	4
12	Supervising Parts Storekeeper	4
13	Principal Parts Storekeeper	4
14	Senior Parts Storekeeper	4
15	Parts Storekeeper	4
16	Storekeeper	4
17	Materials Coordinator	4
18	Manager, Fleet Services	4
19	Assistant Manager, Fleet Services	4
20	(Added by Ord. 3-90, App. 1/5/90; amended by Ord. 311-92, App. 10/9/92; Ord. 345-98, App.	
21	11/19/98)	

22

23 **SEC. 3.1-385. REAL ESTATE DEPARTMENT.**

24	Designated Positions	Disclosure Categories
25	Director of Property	All 1

- 1 Assistant Director of Property
- 2 Principal Real Property Officer
- 3 Senior Real Property Officer
- 4 Real Property Officer
- 5 Head Accountant

6 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 311-92, App. 10/9/92)

7

8 **SEC. 3.1-390. RECREATION AND PARK DEPARTMENT.**

9 (a) **Disclosure Category 2.** Persons in this category shall disclose all investments
10 and income from any source which leases, rents or operates from property under the
11 jurisdiction of the Recreation and Park Commission, or which provides, or contracts with the
12 City and County of San Francisco or the Recreation and Park Commission to provide,
13 services (including construction, repair and maintenance), equipment, materials, supplies,
14 vehicles, or other items of use to the Recreation and Park Commission or the Recreation and
15 Park Department, or which may foreseeably do so in the future, or which has done so within
16 two years prior to any time period covered by a statement of economic interest, and his or her
17 status as a director, officer, partner, trustee, employee, or holder of any management position
18 in any such business entity.

19 (b) **Disclosure Category 3.** Persons in this category shall disclose all income from,
20 and investments in, any business entity which does business in the jurisdiction, or has done
21 business in the jurisdiction within two years prior to any time period covered by a statement of
22 economic interest, or which may foreseeably do business in the jurisdiction in the future, and
23 his or her status as a director, officer, partner, trustee, employee, or holder of any
24 management position in any such business entity.

25

1	Designated Positions	Disclosure Categories
2	Recreation and Park Commissioners	1
3	General Manager	1
4	Executive Secretary to General Manager	2
5	Special Assistant XVI	1
6	Special Assistant XIII (Executive Assistant to the	
7	General Manager)	2
8	Executive Secretary III	2
9	Recreation Superintendent	1
10	Parks Superintendent	1
11	Arboretum Director	2
12	Golf Director	2
13	Zoo Director	1
14	Property Manager	2
15	Director of Personnel	2
16	Marina Manager	2
17	Assistant Superintendent of Parks/Structural	
18	Maintenance	2
19	Assistant Superintendent of Parks	2
20	Assistant Superintendent Recreation	2
21	Assistant Recreation Supervisor	2
22	IS Administrator—Supervisor	2
23	Principal Administrative Analyst	2
24	Senior Administrative Analyst	2
25	Civil Engineer	1

1	Architect	2
2	Assistant Landscape Architect	2
3	Planner IV	2
4	Planner III	2
5	Chief Stationary Engineer	2

6 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 190-90, App. 5/24/90; Ord. 311-92, App.
7 10/9/92; Ord. 345-98, App. 11/19/98)

8

9 **SEC. 3.1-395. REDEVELOPMENT AGENCY.** (a) **Disclosure Category 2.** Persons
10 in this category shall disclose all sources of income, investments, and all business positions in
11 which the designated employee is a director, officer, partner, trustee, employee, or holds any
12 position of management.

13 (b) **Disclosure Category 3.** Persons in this category shall disclose all income from
14 and investments in businesses that manufacture or sell supplies of the type utilized by the
15 Agency.

16 (c) **Disclosure Category 4.** Persons in this category shall disclose all investments
17 in and income from all banks, savings and loan associations, insurance companies,
18 investment companies, stockbrokers, title companies, financial consultants, data processing
19 firms or consultants, but shall not include personal checking or savings accounts or
20 certificates of deposit.

21 (d) **Disclosure Category 5.** Persons in this category who come within the
22 definition of consultant as stated below shall disclose all sources of income, interests in real
23 property and investments.

24

25

1 "Consultant" means any natural person who provides, under contract, information,
2 advice, recommendation or counsel to the Agency, provided, however, that "consultant" shall
3 not include a person who:

4 (A) Conducts research and arrives at conclusions with respect to his or her rendition
5 of information, advice, recommendation or counsel independent of the control and direction of
6 the Agency or of any Agency official, other than normal contract monitoring; and

7 (B) Possess no authority with respect to any Agency decision beyond the rendition
8 of information, advice, recommendation or counsel.

9 Designated Positions*	Disclosure Categories
10 Administrative Services Manager	1
11 Agency General Counsel	1
12 Architect	1
13 Architecture Supervisor	1
14 Assistant Development Specialist	1
15 Assistant Harbormaster	2
16 Associate Civil Engineer	1
17 Building/Construction Inspector I	1
18 Building/Construction Inspector II	1
19 Citizens Advisory Committee	1
20 Civil Engineer (Project Engineers)	1
21 Commissioners	1
22 Community Services Manager	1
23 Construction Coordinator	1
24 Consultants**	5
25 Contract Compliance Specialist I	1

1	Contract Compliance Specialist II	1
2	Contract Compliance Supervisor	1
3	Deputy Executive Director	1
4	Deputy General Counsel	1
5	Development Services Manager	1
6	Development Specialist	1
7	Engineering and Construction Supervisor	1
8	Environmental Assessment Specialist	1
9	Executive Director	1
10	Finance and Information Services Manager	1
11	Financial Systems Accountant	4
12	Harbormaster	2
13	Human Resources Manager	1
14	Information Systems Supervisor	3, 4
15	Personnel Analyst	2
16	Planning Supervisor	1
17	Principal Planner	1
18	Program Manager	1
19	Project Area Committee Members	1
20	Project Area Services Supervisor	1
21	Project Manager	1
22	Property Management Supervisor	1
23	Property Management Specialist	1
24	Public Affairs Officer	1
25	Purchasing Assistant	3

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1	Records and Information Supervisor	2
2	Relocation Supervisor	1
3	Senior Architect	1
4	Senior Attorney	1
5	Senior Civil Engineer	1
6	Senior Development Specialist	1
7	Senior Financial Analyst	1
8	Senior Landscape Architect	1
9	Senior Personnel Analyst	1
10	Senior Planner	1
11	Senior Project Manager	1
12	Staff Associate IV	1
13	Staff Associate V	1
14	Staff Associate VI	1
15	Staff Attorney I	1
16	Staff Attorney II	1

17 *While the listed titles of the designated positions are approved classification titles,
18 occasionally titles are changed or working titles are assigned. In these events, the new titles
19 will be substituted into this Code with the same disclosure categories as were applicable to
20 the old titles.

21 **With respect to consultants, the Executive Director may determine in writing that a
22 particular consultant is hired to perform a range of duties that is limited in scope and thus is
23 not required to comply with the disclosure requirements described in this Section. Such
24 determination shall include a description of the consultant's duties and, based upon that
25 description, a statement of the extent of the disclosure requirements. The Executive Director

1 shall forward a copy of this determination to the Clerk of the Board of Supervisors. Nothing
 2 herein excuses any consultant from any other provisions of this Conflict of Interest Code.
 3 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 311-92, App. 10/9/92; Ord. 380-94, App.
 4 11/10/94; Ord. 56-97, App. 3/6/97; Ord. 201-98, App. 6/19/98; Ord. 345-98, App. 11/19/98;
 5 Ord. 340-99, File No. 992046, App. 12/30/99)

6
 7 **SEC. 3.1-400. RELOCATION APPEALS BOARD.**

8 Designated Positions	Disclosure Categories
9 Board Member	1
10 Executive Director	1

11 (Added by Ord. 190-90, App. 5/24/90; amended by Ord. 340-99, File No. 992046, App.
 12 12/30/99)

13
 14 **SEC. 3.1-405. RESIDENTIAL RENT STABILIZATION AND ARBITRATION BOARD.**

15 **Disclosure Category 2.** Persons in this category shall disclose all interests in real
 16 property, and all income from, investments in, and business positions held in any business
 17 entity with an interest in residential real property in the jurisdiction, or which may foreseeably
 18 acquire such an interest, or which has acquired such an interest within two years prior to the
 19 time period covered in a statement of economic interests. An official occupies a "business
 20 position" if he or she is a director, officer, partner, trustee, employee or holds any position of
 21 management.

22 Designated Positions	Disclosure Categories
23 Board Members	2
24 Executive Director	2
25 Rent Board Hearing Officer	2

1 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 190-90, App. 5/24/90; Ord. 311-92, App.
2 10/9/92)

3
4 **SEC. 3.1-410. RETIREMENT SYSTEM.**

5 Designated Positions	6 Disclosure Categories
7 Member, Retirement Board	8 See Sec. 3.1-500
9 Executive Director	10 See Sec. 3.1-500
11 Executive Assistant to the Executive Director	12 1
13 Actuary	14 1
15 Chief Investment Officer	16 See Sec. 3.1-500
17 Chief Accountant	18 1
19 Senior Investment Officer	20 See Sec. 3.1-500
21 Administrator, Retirement Services	22 1
23 Security Analyst	24 1
25 Consultant*	1

*With respect to consultants, the Retirement Board may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described in this category. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Retirement Board shall forward a copy of this determination to the Board of Supervisors. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code. (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 190-90, App. 5/24/90; Ord. 380-94, App. 11/10/94; Ord. 56-97, App. 3/6/97; Ord. 345-98, App. 11/19/98)

1 **SEC. 3.1-415. SHERIFF. Disclosure Category 2.** Persons in this disclosure
2 category shall disclose all investments and business positions in business entities, and
3 income from any source, which manufactures, distributes, sells or provides services, supplies,
4 materials, machinery or equipment of the type used by the Sheriff's Office.

5 Designated Positions	6 Disclosure Categories
7 Sheriff	8 1
9 Undersheriff	10 1
11 Assistant Sheriff	12 1
13 Director County Parole	14 2
15 Attorney	16 1

17 (Added by Ord. 190-90, App. 5/24/90; amended by Ord. 380-94, App. 11/10/94; Ord. 340-99,
18 File No. 992046, App. 12/30/99)

19 **SEC. 3.1-420. SAN FRANCISCO UNIFIED SCHOOL DISTRICT.**

20 (a) **Disclosure Category 1. Real Property.** Persons in this category shall disclose
21 the following:

22 (1) Interests in real property which is located in whole or in part either:

23 (A) Within the boundaries of the District; or

24 (B) Within two miles of the boundaries of the District, including any leasehold,
25 beneficial or ownership interest or option to acquire such interest in real property, if the fair
market value of the interest is greater than \$1,000.

Interests in real property of an individual include a business entity's share of interest in
real property of any business entity or trust in which the designated employee or his or her
spouse owns directly, indirectly or beneficially, a 10 percent interest or greater.

1 (2) Investments in or income from business entities which are contractors or
2 subcontractors which are or have been within the previous two-year period engaged in the
3 performances of building construction or design within the District.

4 (3) Investments in or income from business entities engaged in the acquisition or
5 disposal of real property within the jurisdiction.

6 Investment includes any financial interest a pro rata share of investments of any
7 business entity or trust in which the designated employee or his or her spouse owns, directly,
8 indirectly or beneficially, a 10 percent interest or greater.

9 Investment does not include a time or demand deposit in a financial institution, shares
10 in a credit union, any insurance policy or any bond or other debt instrument issued by any
11 government or government agency. No investment or interest in real property is reportable
12 unless its fair market value exceeds \$1,000. No source of income is reportable unless the
13 income received by or promised to the public official aggregates \$250 in value during the
14 preceding 12-month reporting period.

15 (b) **Disclosure Category 2. Supplies and Equipment.** Persons in this category
16 shall disclose investments in or income from business entities which manufacture or sell
17 supplies, books, machinery or equipment of the type utilized by the department for which the
18 designated employee is manager or director. Investments include interests described in
19 Category 1.

20 (c) **Disclosure Category 3. Work or Services.** Persons in this category shall
21 disclose investments in or income from business entities which are contractors or
22 subcontractors engaged in the performance of work services of the type utilized by the
23 department for which the designated employee is manager or director. Investments include
24 the interests described in Category 1.

	Designated Positions	Disclosure Categories
2	Members of the Board of Education	1, 2, 3
3	Superintendent of Schools	1, 2, 3
4	Deputy Superintendent	1, 2, 3
5	Associate Superintendent	1, 2, 3
6	Assistant Superintendent	1, 2, 3
7	Special Assistant to the Superintendent	1, 2, 3
8	Executive Assistant to the Superintendent	1, 2, 3
9	Chief Financial Officer/Director of Business Services	1, 2, 3
10	Director, Transportation	2, 3
11	Director, Food Services	2, 3
12	Director, Buildings and Grounds	1, 2, 3
13	Director (Certificated)	1, 2, 3
14	Director, Facilities Planning	1, 2, 3
15	Director, Custodial Services	2, 3
16	Program Director	1, 2, 3
17	Coordinator (Certificated)	1, 2, 3
18	Manager, Payroll Control	1, 2, 3
19	Manager, Data Processing	1, 2, 3
20	Project Manager II & III	1, 2, 3
21	Assistant Fiscal Officer	1, 2, 3
22	Principal Administrative Analyst	1, 2, 3
23	Head Accountant	1, 2, 3
24	Principal Accountant	1, 2, 3
25	Supervising Purchaser	1, 2, 3

1	Senior Purchaser	1, 2, 3
2	Purchaser	1, 2, 3
3	Architect	3
4	General Manager, KALW	2, 3
5	(Added by Ord. 190-90, App. 5/24/90; Ord. 380-94, App. 11/10/94; Ord. 56-97, App. 3/6/97;	
6	Ord. 345-98, App. 11/19/98; Ord. 340-99, File No. 992046, App. 12/30/99)	
7		

8 **SEC. 3.1-425. TAXI COMMISSION.**

9	Designated Positions	Disclosure Categories
10	Members, Commission	All 1
11	Director	
12	(Added by Ord. 340-99, File No. 992046, App. 12/30/99)	

14 **SEC. 3.1-430. TELECOMMUNICATIONS AND INFORMATION SERVICES,**

15 **DEPARTMENT OF. Disclosure Category 2.** Persons in this category shall disclose all
16 investments and business positions in business entities and income from any source which
17 provides, or contracts with the City and County of San Francisco and its Department of
18 Telecommunications and Information Services to provide services, supplies, materials,
19 machinery or equipment to the Department of Telecommunications and Information Services.

20	Designated Positions	Disclosure Categories
21	Director	1
22	Deputy Director of Policy & Compliance	2
23	Deputy Director of Administration	2
24	Deputy Director for Enterprise Computing	2
25	Deputy Director for Network Engineering	2

1	Deputy Director for Network Facilities	2
2	Deputy Director for Applications Development	2
3	Director of C.O.I.T.	2
4	Business Manager	2
5	(Added by Ord. 3-90, App. 1/5/90; amended by Ord. 311-92, App. 10/9/92; Ord. 56-97, App.	
6	3/6/97; Ord. 345-98, App. 11/19/98; Ord. 340-99, File No. 992046, App. 12/30/99)	
7		

8 **SEC. 3.1-435. TRANSPORTATION AUTHORITY, SAN FRANCISCO COUNTY.**

9	Designated Positions	Disclosure Categories
10	Executive Director	All 1
11	Transportation Programming Manager	
12	Transportation Planning Manager	
13	Chief Financial Officer	
14	(Added by Ord. 190-90, App. 5/24/90; amended by Ord. 311-92, App. 10/9/92; Ord. 380-94,	
15	App. 11/10/94; Ord. 345-98, App. 11/19/98; Ord. 340-99, File No. 992046, App. 12/30/99)	
16		

17 **SEC. 3.1-440. TREASURE ISLAND DEVELOPMENT AUTHORITY.**

18	Designated Positions	Disclosure Categories
19	Members	1
20	(Added by Ord. 340-99, File No. 992046, App. 12/30/99)	
21		

22 **SEC. 3.1-445. TREASURER-TAX COLLECTOR.**

23 **Disclosure Category 2.** Persons in this category shall disclose all investments in any
24 business entity and income from any source which provides services, supplies, materials,
25 machinery or equipment to the Treasurer-Tax Collector Department, or which may

1 foreseeably do so in the future, or which has done so within two years prior to any time period
2 covered by a statement of economic interest.

3 **Designated Positions** **Disclosure Categories**

4 Treasurer See Sec. 3.1-500

5 Chief Assistant Treasurer See Sec. 3.1-500

6 Cash Management and Investment Officer See Sec. 3.1-500

7 Assistant Cash Management and Investment Officer See Sec. 3.1-500

8 Principal Administrative Analyst (Business Tax) 2

9 Head Accountant (Administration) 2

10 Tax Collector 1

11 Deputy Tax Collector 1

12 Tax Collector Attorney 1

13 Chief Business Tax Auditor 1

14 Director, Bureau of Delinquent Revenue 1

15 Chief Investigator 1

16 Director, Real Estate Division 1

17 Senior Administrative Analyst 2

18 Director, Taxpayers Assistance Unit (TPA) 2

19 Senior Management Assistant (Business Tax) 2

20 Special Assistant XV 2

21 Special Assistant XIII 2

22 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 190-90, App. 5/24/90; Ord. 311-92, App.
23 10/9/92; Ord. 380-94, App. 11/10/94; Ord. 56-97, App. 3/6/97; Ord. 345-98, App. 11/19/98)

1 **SEC. 3.1-460. COURT POSITIONS.** The following agencies are not included in this
2 ordinance because, under the Political Reform Act, the Board of Supervisors does not act as
3 the Code reviewing body for these agencies:

4 Superior Court

5 Municipal Court

6 Juvenile Court

7 Juvenile Justice Commission

8 Adult Probation.

9 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 190-90, App. 5/24/90)

10
11 **SEC. 3.1-500. POSITIONS DESIGNATED BY STATE—FILING OFFICIAL.** Members
12 of the Board of Supervisors, District Attorney, Mayor, City Attorney, Treasurer, members of
13 the Planning Commission, public officials who manage public investments, and candidates for
14 any of these offices at any election, and any other officer or candidate for office who may be
15 subject to the provisions of Government Code Section 87200, shall file one original of all
16 statements of economic interests with the Ethics Commission, the filing official, who shall
17 make and retain a copy and forward the original to the Fair Political Practices Commission
18 which shall be the filing officer.

19 (Added by Ord. 3-90, App. 1/5/90; amended by Ord. 190-90, App. 5/24/90; Ord. 386-95, App.
20 12/14/95; Ord. 56-97, App. 3/6/97; Ord. 345-98, App. 11/19/98)

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CHAPTER 2:

PROHIBITION ON CONTRACTING WITH THE CITY

SEC. 3.200. PROHIBITING MEMBERS OF BOARDS AND COMMISSIONS FROM CONTRACTING WITH THE CITY AND COUNTY.

(a) FINDINGS.

(1) City and County contracts should be, and should appear to be, awarded on a fair and impartial basis.

(2) The practice of members of Boards and Commissions of the City and County contracting with the City and County creates the potential for, and the appearance of, favoritism or preferential treatment by the City and County.

(3) Prohibiting members of Boards and Commissions of the City and County from contracting with the City and County will eliminate both actual and perceived favoritism or preferential treatment without creating unnecessary barriers to public service.

(b) DEFINITIONS. For purposes of this Section, the following definitions shall apply:

(1) Board or Commission. The term "Board or Commission" means an appointed Board or Commission created by Charter or ordinance of the City and County, at least one of the members of which is required to be appointed by the Mayor, but does not include advisory Boards or Commissions.

(2) Business. The term "business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, or other legal entity or undertaking organized for economic gain.

(3) City and County. The term "City and County" includes any Commission, Board, Department, agency, committee, or other organizational unit, excluding advisory bodies, of the

1 City and County of San Francisco.

2 (4) Contract. The term "contract" means any agreement to which the City and
3 County is a party, other than a grant funded in whole or in part by the City and County or an
4 agreement for employment with the City and County in exchange for salary and benefits.

5 (5) Subcontract. The term "subcontract" means a contract to perform more than 25
6 percent of the work that a primary contractor has an agreement with the City and County to
7 perform.

8 (c) PROHIBITION. No member of a Board or Commission of the City and County
9 shall, during his or her term of office, contract or subcontract with the City and County, the
10 San Francisco Redevelopment Agency, the San Francisco Housing Authority, the San
11 Francisco Unified School District, or the San Francisco Community College District, where the
12 amount of the contract or the subcontract exceeds \$10,000.

13 (d) EXCEPTIONS. This Section shall not apply to the following contracts or
14 subcontracts:

15 (1) A contract or subcontract with a nonprofit organization;

16 (2) A contract or subcontract with a business with which a member of a Board or
17 Commission is affiliated unless the member exercises management and control over the
18 business. A member exercises management and control if he or she is:

19 (A) An officer or director of a corporation;

20 (B) A majority shareholder of a closely held corporation;

21 (C) A shareholder with more than five percent beneficial interest in a publicly traded
22 corporation;

23 (D) A general partner or limited partner with more than 20 percent beneficial interest
24 in the partnership; or

25 (E) A general partner regardless of percentage of beneficial interest and who

1 occupies a position of, or exercises management or control of the business;

2 (3) An existing contract or subcontract with the City and County approved by the
3 Board of Supervisors or an agreement to provide property, goods or services to the City and
4 County at substantially below fair market value.

5 (e) EFFECTIVE DATE. This ordinance shall take effect on January 15, 1997.

6 (f) PENALTIES. Violation of any provision of this Section shall constitute official
7 misconduct.

8 (g) SEVERABILITY. If any subsection, sentence, clause, phrase, or word of this
9 Section be for any reason declared unconstitutional or invalid or ineffective by any court of
10 competent jurisdiction, such decision shall not affect the validity or the effectiveness of the
11 remaining portions of this Section or any part of this Section. The Board of Supervisors
12 hereby declares that it would have adopted this Section notwithstanding the
13 unconstitutionality, invalidity or ineffectiveness of any one or more of its subsections,
14 sentences, clauses, phrases, or words.

15 (h) LIMITATION. Failure of a member of a Board or Commission to comply with
16 this Section shall not be grounds for invalidating any contract with the City and County.

17 (Added by Ord. 374-96, App. 9/30/96)

18
19 **CHAPTER 3:**

20 **PROHIBITION ON REPRESENTING PRIVATE PARTIES**

21 **BEFORE CITY BOARD AND COMMISSIONS – COMPENSATED ADVOCACY**

22
23 **SEC. 3.300. PROHIBITION ON REPRESENTING PRIVATE PARTIES BEFORE**
24 **CITY BOARD AND COMMISSIONS – COMPENSATED ADVOCACY.** (a) The People of the
25 City and County of San Francisco desire and are entitled to a local government whose officers

1 do not engage in, assist or promote compensated advocacy on behalf of private interest
2 before City and County commissions and boards while also serving as City and County
3 officers.

4 (b) No officer of the City and County may, during the term of office, engage in
5 compensated advocacy before any City and County board or commission, or any member of
6 the board or commission or its staff, in order to represent any private interest, for which
7 representation the officer receives, directly or indirectly, any compensation, reward or gift.

8 (c) Officers of the City and County shall not discuss matters pending before their
9 commission or department with other City and County officers or state legislators when those
10 other officers or state legislators are acting as compensated advocates for a private interest.

11 (d) No member of the California State Legislature shall appear before any City and
12 County board, department or commission as a compensated advocate representing a private
13 interest.

14 (e) Any person violating the terms of this Chapter shall be subject to the penalties
15 set forth in San Francisco Charter Section C8.105. Such penalties shall include, but not be
16 limited to, removal from office.

17 (f) If any provision of this Chapter, or its application to any person or circumstance,
18 is held invalid, it is the expressed intent of the people of the City and County of San Francisco
19 that the remainder of the Chapter, or the application of such provision, or any other provision
20 to other persons or circumstances, shall not be affected thereby.

21 **[Editor's Note: This Chapter was part of an ordinance adopted by the San**
22 **Francisco voters on June 3, 1986. This Chapter was formerly codified as Sections 1 -**
23 **4, 6, and 7 of Appendix K to the 1932 Charter.]**

1 CHAPTER 4:

2 PROHIBITION ON POLITICAL ACTIVITY

3
4 **SEC. 3.400. PROHIBITION ON POLITICAL ACTIVITY.** (a) No City officer or
5 employee shall, directly or indirectly, solicit political contributions, knowingly, from other City
6 officers or employees or from persons on employment lists of the City. Nothing in this Section
7 shall prohibit a City officer or employee from communicating through the mail or by other
8 means requests for political contributions to a significant segment of the public which may
9 include City officers or employees.

10 (b) No City officer or employee shall participate in political activities of any kind
11 while in uniform.

12 (c) No City officer or employee may engage in political activity during working hours
13 or on City premises.

14 (Added by Ord. 438-96, App. 11/8/96)

15
16 CHAPTER 5:

17 MISCELLANEOUS CHARTER PROVISIONS

18
19 **[Editor's Note: The San Francisco Charter and the California Political Reform Act,**
20 **Government Code Section 81000, et seq., impose restrictions on the conduct of**
21 **government officials and employees. This Chapter cross-references those Charter and**
22 **Government Code provisions.]**

23
24 **SEC. 3.500. PROHIBITION ON CONFLICTS OF INTEREST.** Conflicts of interest of
25 City officials and employees are governed by applicable provisions of San Francisco Charter

1 Sections 15.103 and C8.105, and the California Political Reform Act, Government Code
2 Sections 81000, *et seq.*

3
4 **SEC. 3.505. PROHIBITION ON DUAL OFFICEHOLDING FOR COMPENSATION.**

5 Charter Section 15.106 prohibits dual officeholding for compensation.

6
7 **SEC. 3.510. PROHIBITION ON PRIVATE COMPENSATION, REWARDS OR GIFTS**
8 **FOR CITY SERVICES.** Charter Section C8.105(f) prohibits acceptance of private
9 compensation, rewards or gifts for City services.

10
11 **SEC. 3.515. RESTRICTIONS ON ACCEPTANCE OF GIFTS.** The California Political
12 Reform Act, Government Code Section 81000, *et seq.*, imposes restrictions on the
13 acceptance of gifts.

14
15 **SEC. 3.520. PROHIBITION ON PAYMENT FOR CITY OFFICE OR EMPLOYMENT.**
16 Charter Section C8.105(b) prohibits payment for nomination, appointment or election to City
17 office or employment.

18
19 **SEC. 3.525. PROHIBITION ON DISCLOSURE OF CONFIDENTIAL INFORMATION.**
20 Charter Section C8.105(d) prohibits disclosure of confidential information.

21
22 **SEC. 3.530. NONINTERFERENCE WITH ADMINISTRATION.** Charter Section 2.114
23 prohibits members of the Board of Supervisors from interfering with administration of City
24 departments.

1 **SEC. 3.535. POST-EMPLOYMENT RESTRICTIONS.** Charter Sections 15.108 and
2 C8.105(e) restrict post-employment activity.

3
4 **SEC. 3.540. SUSPENSION AND REMOVAL FROM OFFICE FOR OFFICIAL**
5 **MISCONDUCT.** Suspension and removal from office for official misconduct is governed by
6 Charter Sections 15.104, 15.105, C3.699-13(c) and C8.105(m).

7
8 **CHAPTER 6:**
9 **ETHICS COMMISSION**

10
11 **SEC. 3.600. ETHICS COMMISSION.** The powers and duties of the Ethics
12 Commission are governed by Charter Sections 15.100, *et seq.*, and Appendix C, Sections
13 C3.699-10 - C3.699-16 and C8.105(g).

1 Section 2. San Francisco Administrative Code Sections 16.400 through 16.404 are
2 hereby repealed, and Article IV of the San Francisco Campaign and Governmental Conduct
3 Code is hereby enacted, to read as follows. Additions are underlined, deletions are in
4 ~~striketrough~~ text.

5 **ARTICLE IV: PROTECTION OF WHISTLEBLOWERS**

6
7 **CHAPTER 1:**

8 **REPORTING IMPROPER GOVERNMENT ACTIVITY;**
9 **PROTECTION OF WHISTLEBLOWERS**

10
11 **SEC. 4.100. FINDINGS.** The City and County of San Francisco has a paramount
12 interest in protecting the integrity of its government institutions. To further this interest,
13 individuals should be encouraged to report to the City's Ethics Commission possible violations
14 of laws, regulations and rules governing the conduct of City officers and employees.

15 This Chapter protects all individuals who file complaints with, or provide information to,
16 the Ethics Commission from intimidation, threats, and coercion. This Chapter also protects
17 City officers and employees from retaliation or other disciplinary action that is taken because
18 the officer or employee filed a complaint with, or provided information to, the Ethics
19 Commission.

20 Finally, this Chapter ensures that complaints that do not allege a violation of law over
21 which the Ethics Commission has jurisdiction are directed to the appropriate agency for
22 investigation and possible disciplinary or enforcement action.
23
24
25

1 **SEC. 4.105. COMPLAINTS OF IMPROPER GOVERNMENT ACTIVITY;**
2 **INVESTIGATION PROCEDURES; REFERRAL TO OTHER AGENCIES.** Individuals may file
3 with the Ethics Commission complaints regarding the conduct of City officers and employees.

4 The Ethics Commission shall investigate complaints filed under this Section that allege
5 violations of local campaign finance, lobbying, conflicts of interest and governmental ethics laws
6 pursuant to the procedures specified in Charter Section C3.699-13 and the regulations adopted
7 thereunder.

8 Complaints that do not allege a violation of law that is within the Ethics Commission's
9 jurisdiction shall be directed to the appropriate agency for investigation and possible
10 disciplinary or enforcement action. The Commission may conduct preliminary investigations
11 into such complaints to determine whether the complaint contains sufficient information to
12 warrant referral.

13 Nothing in this Section shall preclude the Ethics Commission from referring any matter to
14 any other City department, commission, board, officer or employee, or to other government
15 agencies for investigation and possible disciplinary or enforcement action.

16
17 **SEC. 4.110. DEFINITIONS.** For purposes of this Chapter, the following words and
18 phrases shall have the following meanings:

19 (a) The term "City" means the City and County of San Francisco, its departments,
20 commissions and boards.

21 (b) The term "preliminary investigation" shall be limited to, but need not include:
22 review of the complaint and any documentary evidence provided with the complaint; interview
23 of the complainant; interview of the respondent, counsel to respondent, and any witnesses
24 who voluntarily agree to be interviewed for this purpose; review of any relevant public
25 documents and documents provided voluntarily to the Commission.

1
2 ~~SEC. 16.400. IMPROPER GOVERNMENT ACTIVITIES UNIT. (a) The Mayor is~~
3 ~~authorized to establish a unit to investigate allegations and disclosures of improper government~~
4 ~~activity ("IGA unit"). The IGA unit shall promptly, fairly and impartially investigate all allegations~~
5 ~~and disclosures of alleged improper government activities, except those which on their face~~
6 ~~clearly indicate that the activity was proper.~~

7 ~~(b) In carrying out its objectives, the IGA unit shall receive prompt and full cooperation~~
8 ~~and assistance from all departments, commissions, boards, officers and employees of the City~~
9 ~~and County of San Francisco.~~

10 ~~SEC. 16.401. DEFINITIONS.~~

11 ~~(a) "Improper government activity" means any activity by a City department, commission,~~
12 ~~board, officer or employee undertaken in the performance of an officer's or employee's official~~
13 ~~duties, whether or not such action is within the scope of his or her employment, and which is (1)~~
14 ~~in violation of any City, State, or Federal ordinance, law or regulation, including but not limited~~
15 ~~to, corruption, malfeasance, bribery, theft of City property, fraud, discrimination, sexual or racial~~
16 ~~harassment, unlawful retaliation, coercion, or misuse of government property, or (2) involves~~
17 ~~gross misconduct or gross economic waste.~~

18 ~~(b) "City" means the City and County of San Francisco, its departments, commissions,~~
19 ~~boards and agencies.~~

20
21 **SEC. 4.115. PROTECTION OF WHISTLEBLOWERS.**

22 (a) INTIMIDATION AND RETALIATION PROHIBITED. No City officer or employee
23 may intimidate, threaten, coerce, or interfere with any individual because that individual has
24 filed a complaint with, or is participating in or cooperating with an investigation or proceeding
25 of, the Ethics Commission. No City officer or employee may discipline or otherwise retaliate

1 against any City officer, employee or applicant for City employment because the officer,
2 employee, or applicant has in good faith filed a complaint with the Ethics Commission, or
3 participated or cooperated with an investigation or other proceeding of the Ethics
4 Commission.

5 (b) COMPLAINTS OF INTIMIDATION OR RETALIATION.

6 (i) Administrative Complaints. Any individual who believes he or she has been
7 the subject of intimidation or retaliation in violation of subsection (a) of this Section may file a
8 complaint with the Ethics Commission. The complaint must be filed no later than two years
9 after the date the facts forming the basis for the complaint were discovered or reasonably
10 should have been discovered by the complainant.

11 The Ethics Commission shall investigate complaints of violations of subsection
12 (a) pursuant to the procedures specified in San Francisco Charter Section C3.699-13 and the
13 regulations adopted thereunder. Nothing in this subsection shall preclude the Ethics
14 Commission from referring any matter to any other City department, commission, board, officer
15 or employee, or to other government agencies for investigation and possible disciplinary or
16 enforcement action.

17 (ii) Civil Complaints. Any City officer or employee who believes he or she has
18 been the subject of intimidation or retaliation in violation of subsection (a) of this Section may
19 bring a civil action against the City officer or employee who committed the violation. Such
20 action must be filed no later than two years after the date the facts forming the basis for the
21 complaint were discovered or reasonably should have been discovered by the complainant.

22 (c) PENALTIES.

23 (i) Charter Penalties. Any individual who violates subsection (a) of this Section
24 may be subject to administrative penalties pursuant to Charter Section C3.699-13.

1 (ii) Discipline by Appointing Authority. Any City officer or employee who violates
2 subsection (a) of this Section shall be subject to disciplinary action up to and including
3 dismissal by his or her appointing authority. If no disciplinary action is taken by the appointing
4 authority, the Ethics Commission may refer the matter to the Civil Service Commission for
5 action pursuant to Charter Section A8.341.

6 (iii) Civil Penalties. Any City officer or employee who violates subsection (a) of
7 this Section may be personally liable in a civil action authorized under subsection (b)(ii) of this
8 Section for a civil penalty not to exceed \$5,000.

9 (d) RESERVATION OF AUTHORITY.

10 (i) Civil Service Commission. Nothing in this Section shall interfere with
11 the powers granted to the Civil Service Commission by the San Francisco Charter.

12 (ii) Appointing Authority. Nothing in this Section shall interfere with the
13 power of an appointing officer, manager, or supervisor to take action with respect to any City
14 officer, employee or applicant for City employment, provided that the appointing officer,
15 manager, or supervisor reasonably believes that such action is justified on facts separate and
16 apart from the fact that the officer, employee or applicant filed a complaint with, or participated
17 in or cooperated with, an Ethics Commission investigation or proceeding.

18
19 ~~SEC. 16.402. PROHIBITING USE OR ATTEMPTED USE OF OFFICIAL AUTHORITY~~
20 ~~OR INFLUENCE TO INTERFERE WITH DISCLOSURE OF INFORMATION; CIVIL DAMAGES;~~
21 ~~DISCIPLINARY ACTION. (a) An officer or employee may not directly or indirectly use or~~
22 ~~attempt to use the official authority or influence of the officer or employee for the purpose of~~
23 ~~intimidating, threatening, coercing, commanding, or attempting to intimidate, threaten, coerce,~~
24 ~~or command any person for the purpose of interfering with the right of that person to disclose to~~
25 ~~the IGA unit matters within the scope of this Section.~~

1 ~~(b) For the purpose of Subdivision (a), "use of official authority or influence" includes~~
2 ~~promising to confer or not to confer, or conferring or not conferring, any benefit; effecting, or~~
3 ~~threatening to effect, any reprisal; or taking, or directing others to take, or recommending, or~~
4 ~~approving any personnel action, including, but not limited to, appointment, promotion, transfer,~~
5 ~~assignment, performance evaluation, suspension, or other disciplinary action solely for the~~
6 ~~purpose of violating Subdivision (a).~~

7 ~~(c) Any person who intentionally engages in an act or acts of reprisal, retaliation,~~
8 ~~intimidation, threats, coercion or similar acts against a City employee or applicant for City~~
9 ~~employment for having disclosed improper government activities, may be liable personally in a~~
10 ~~judicial action brought by the offended party for civil damages not to exceed \$5,000.~~

11 ~~(d) Any City official or employee who intentionally engages in an act or acts of reprisal,~~
12 ~~retaliation, intimidation, threats, coercion or similar acts against a City employee or applicant for~~
13 ~~City employment for having disclosed improper government activities shall be subject to~~
14 ~~disciplinary action up to or including dismissal in accordance with applicable provisions of the~~
15 ~~Charter. If no action is taken by the appointing officer, the IGA unit may refer the matter to the~~
16 ~~Civil Service Commission for action pursuant to its powers under Charter section 8.341.~~

17 ~~(e) Nothing in this Section is intended to interfere with the Charter designated powers of~~
18 ~~appointing officers and the Civil Service Commission. In addition, nothing in this Section shall~~
19 ~~be deemed to authorize interference by the Mayor in administrative affairs under the control of~~
20 ~~the Chief Administrative Officer or other elected officers, boards or commissions in violation of~~
21 ~~Charter Section 3.101.~~

22 ~~(f) This Section shall not be construed to limit in any way the power of an appointing~~
23 ~~officer, manager, or supervisor to take adverse action with respect to any City employee,~~
24 ~~provided that the appointing officer, manager or supervisor reasonably believes that such action~~
25 ~~is justified on facts separate and apart from the disclosure of improper government activities.~~

1 SEC. 4.120. CONFIDENTIALITY.

2 (a) WHISTLEBLOWER IDENTITY. Any individual who files a complaint under Section
3 4.105 of this Chapter may elect to have his or her identity kept confidential as provided by
4 Charter Section C3.699-13(a). Such election must be made at the time the complaint is filed.

5 (b) COMPLAINTS AND INVESTIGATIONS. The Ethics Commission shall treat as
6 confidential complaints made under Section 4.105 of this Chapter, and related information,
7 including but not limited to materials gathered and prepared in the course of investigation of
8 such complaints, and deliberations regarding such complaints, as provided by Charter Section
9 C3.699-13(a).

10 (c) EXCEPTIONS.

11 (i) Conduct of Investigations. Nothing in this Section shall preclude the Ethics
12 Commission from disclosing the identity of an individual or other information to the extent
13 necessary to conduct its investigation.

14 (ii) Referrals. Nothing in this Section shall preclude the Ethics Commission
15 from referring any matter to any other City department, commission, board, officer or
16 employee, or to other government agencies for investigation and possible disciplinary or
17 enforcement action.

18
19 ~~SEC. 16.403. IDENTITY OF PERSONS PROVIDING INFORMATION CONFIDENTIAL;~~
20 ~~CONFIDENTIALITY OF INVESTIGATIONS AND REPORTS. (a) Except when investigating~~
21 ~~claims of employment discrimination, harassment and retaliation, and to the extent necessary to~~
22 ~~conduct an adequate investigation, the identity of persons reporting allegedly improper~~
23 ~~government activities shall not be disclosed without written permission. Nothing in this Section~~
24 ~~shall preclude the IGA unit from referring any matter to any other City department, commission~~
25

1 or board for investigation, or from referring any matter to law enforcement agencies for possible
2 criminal investigation.

3 (b) ~~Except as provided in Subdivision (c), every investigation initiated pursuant to~~
4 ~~Section 16.400, and all information collected pursuant to such investigations, shall be~~
5 ~~confidential.~~

6
7 **SEC. 4.125. COOPERATION OF OTHER CITY DEPARTMENTS.** All City
8 departments, commissions, boards, officers and employees shall cooperate with and provide
9 full and prompt assistance to the Ethics Commission in carrying out its duties under this
10 Chapter.

11
12 **SEC. 4.130. REPORTS TO THE BOARD OF SUPERVISORS.** ~~(e) The Ethics~~
13 ~~Commission~~ The IGA unit shall provide an annual ~~a semiannual~~ report to the Board of
14 Supervisors which shall include the following; ~~but shall not be limited to:~~

- 15 (1) The number of complaints ~~allegations and disclosures~~ received;
- 16 (2) The type of conduct complained about ~~improper government activity~~ involved;
- 17 (3) The number of referrals to the Civil Service Commission, other City departments, or
18 other government agencies ~~departmental level~~;
- 19 (4) The number of investigations the Ethics Commission conducted ~~performed~~;
- 20 (5) Findings or recommendations on policies or practices resulting from the Ethics
21 Commission's ~~an investigations that it deems necessary to serve the interests of the City~~;
- 22 (6) ~~For allegations and disclosures filed with the IGA unit:~~ The number of disciplinary
23 actions ~~instituted~~ taken by the City as a result of complaints made to the Ethics Commission;
24 and the number of matters referred to the Civil Service Commission; the number of judicial
25 actions filed; and the number of cases in which civil damages were awarded.

1 (7) The number and amount of administrative penalties imposed by the Ethics
2 Commission as a result of complaints made to the Commission.

3
4 **SEC. 4.135. SEC. 16.404. LIMITATION OF LIABILITY.** In adopting and enforcing this
5 Chapter, the City undertakes to promote the general welfare. The City is not assuming, nor is it
6 imposing on its officers and employees, an obligation for breach of which it is liable in money
7 damages. ~~In adoption and enforcement of this ordinance, the City and County is assuming an~~
8 ~~undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its~~
9 ~~officers and employees, an obligation for breach of which it is liable in money damages to any~~
10 ~~person who claims that such breach proximately caused injury, except as specifically set forth~~
11 herein.

12
13 Section 3. San Francisco Administrative Code Sections 16.5, 16.501 - 16.519, 16.520 -
14 16.531, 16.535 - 16.539, 16.540 - 16.547, 16.548-1 – 16.548-6, 16.980, and 58.1 – 58.600
15 are hereby repealed.
16

17
18
19 APPROVED AS TO FORM:
20 LOUISE H. RENNE, City Attorney

21
22 By: 
23 JULIA A. MOLL
24 Deputy City Attorney

25
SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS



City and County of San Francisco

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

Tails

Ordinance

File Number: 000358

Date Passed:

Ordinance enacting the San Francisco Campaign and Governmental Conduct Code, Articles I - V, to: consolidate City laws regulating election campaigns, lobbying, the conduct of governmental officials and employees, and protection of whistleblowers who report improper government activity; conform these laws to the Charter provisions creating the Ethics Commission; clarify that whistleblowers are protected from retaliation for filing complaints with, providing information to, cooperating with, or participating in a proceeding of the Ethics Commission; clarify the procedures for investigating complaints of improper government activity; clarify that persons who unlawfully retaliate against whistleblowers are subject to administrative penalties as well as possible discipline and civil penalties; provide statutes of limitations; add legislative findings; require that the Ethics Commission submit an annual rather than semiannual report to the Board of Supervisors regarding complaints made by whistleblowers; and repealing Administrative Code Sections 16.5, 16.400 - 16.404, 16.501 - 16.519, 16.520 - 16.531, 16.535 - 16.539, 16.540 - 16.547, 16.548-1 - 16.548-6, 16.980, and 58.1 - 58.600.

April 10, 2000 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Kaufman, Leno, Newsom, Teng, Yaki, Ammiano, Becerril, Bierman,
Brown, Katz

Absent: 1 - Yee

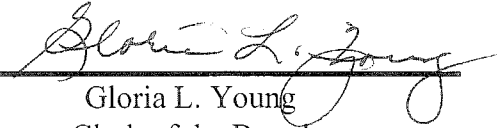
April 17, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Ammiano, Becerril, Brown, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 3 - Bierman, Katz, Teng

File No. 000358

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 17, 2000 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

APR 28 2000

Date Approved



Mayor Willie L. Brown Jr.