

BOARD of SUPERVISORS



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MEMORANDUM

TO: Sophia Kittler, Liaison to the Board of Supervisors, Mayor's Office
Anne Pearson, Deputy City Attorney, Office of the City Attorney
John Arntz, Director, Department of Elections
LeeAnn Pelham, Executive Director, Ethics Commission

FROM: Victor Young, Assistant Clerk, Rules Committee *Victor Young*
Board of Supervisors

DATE: May 19, 2020

SUBJECT: CHARTER AMENDMENT INTRODUCED
November 3, 2020 Election

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the November 3, 2020, Election. This matter is being referred to you in accordance with Rules of Order 2.22.4.

File No. 200477

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize youths aged 16 and 17 to vote in municipal elections; at an election to be held on November 3, 2020.

Please review and submit any reports or comments you wish to be included with the legislative file.

If you have any questions or concerns, please call me at (415) 554-7723 or email: victor.young@sfgov.org. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Andres Power, Mayor's Office
Rebecca Peacock, Mayor's Office
Kanishka Cheng, Mayor's Office
Patrick Ford, Ethics Commission

1 [Charter Amendment - 16- and 17-Year-Olds Voting in Municipal Elections]

2
3 **Describing and setting forth a proposal to the voters at an election to be held on November**
4 **3, 2020, to amend the Charter of the City and County of San Francisco to authorize youths**
5 **aged 16 and 17 to vote in municipal elections.**

6
7 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City
8 and County, at an election to be held on November 3, 2020, a proposal to amend the Charter of
9 the City and County by revising Article XVII, to read as follows:

10 NOTE: **Unchanged Charter text and uncodified text** are in plain font.
11 **Additions** are *single-underline italics Times New Roman font*.
12 **Deletions** are ~~strike-through italics Times New Roman font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Charter
14 subsections.

15 **ARTICLE XVII: DEFINITIONS**

16 For all purposes of this Charter, the following terms shall have the meanings specified
17 below:

18 * * * *

19 "Elector" shall mean a person registered to vote in the City and County.

20 * * * *

21 "General municipal election" shall ~~mean the election for local officials or measures to be~~
22 ~~held in the City and County on the Tuesday immediately following the first Monday in November~~
23 ~~in every year until and including 2015. Thereafter, "general municipal election" shall~~ mean the
24 election for local officials or measures to be held in the City and County on the Tuesday
25 immediately following the first Monday in November in all even-numbered years and in every

LEGISLATIVE DIGEST

[Charter Amendment - 16- and 17-Year-Olds Voting in Municipal Elections]

Describing and setting forth a proposal to the voters at an election to be held on November 3, 2020, to amend the Charter of the City and County of San Francisco to authorize youths aged 16 and 17 to vote in municipal elections.

Existing Law

Article XVII of the Charter defines “voter” as “an elector who is registered in accordance with the provisions of state law.” State law provides that voters must be at least 18 years old to vote. See Cal. Const., art. II, § 2 (“A United States citizen 18 years of age and resident in this State may vote.”); Cal. Elec. Code § 2000(b) (“Any person who will be at least 18 years of age at the time of the next election is eligible to register and vote at that election.”).

Amendments to Current Law

The proposal would amend the Charter’s definition of “voter,” for the purpose of municipal elections, to be “any person who is at least 16 years old, meets all the qualifications for voter registration in accordance with state law other than those provisions that address age, and is registered to vote with the Department of Elections.”

Background Information

In 2016, the Board of Supervisors submitted a Charter amendment to the voters that would have authorized 16 and 17 year olds to vote in municipal elections. See File No. 150267. The measure appeared as Proposition F on the November 8, 2016 ballot, but failed to obtain the voters’ approval.

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1 fourth year following 2015. For the purpose of this definition, "local officials" shall mean the
2 elected officials identified in Section 13.101.

3 * * * *

4 "Special municipal election" shall mean, in addition to special elections otherwise
5 required by law, the election called by (1) the Director of Elections under Section 14.101 or
6 14.103~~with respect to an initiative, referendum or recall~~, and (2) the Board of Supervisors under
7 Section 13.103 or 14.102~~with respect to bond issues, election of an official not required to be~~
8 ~~elected at the general municipal election, or an initiative or referendum.~~

9 "Statewide election" shall mean an election held throughout the state.

10 "Voter" shall mean an elector who is registered in accordance with the provisions of state
11 law, except that for general and special municipal elections, "voter" shall also mean any person
12 who is at least 16 years old, meets all the qualifications for voter registration in accordance with
13 state law other than those provisions that address age, and is registered to vote with the
14 Department of Elections.

15
16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By: /s/ Andrew Shen
19 ANDREW SHEN
20 Deputy City Attorney

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