

1 [Clarification Regarding Filing of a Declaration of Intention to Become a Candidate.]

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3 **Ordinance amending section 1.122 of the Campaign and Governmental Conduct Code**
4 **to clarify that the prohibition on filing a declaration of intention to become a candidate**
5 **for more than one City elective office applies only to offices being voted on at the same**
6 **election.**

7 Note: Additions are *single-underline italics Times New Roman*;
8 deletions are ~~*strikethrough italics Times New Roman*~~.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

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

11 Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby
12 amended by amending Section 1.122, to read as follows:

13 **SEC. 1.122. SOLICITATION OR ACCEPTANCE OF CAMPAIGN CONTRIBUTIONS -**
14 **LIMITATIONS.**

15 (a) Declaration of Intent Required. No intended candidate for any City elective
16 office, and no committee acting on behalf of a candidate, shall solicit or accept, or cause to be
17 solicited or accepted, any contribution unless and until said candidate shall have filed a
18 declaration of intention to become a candidate for a specific City elective office with the
19 Department of Elections on a form to be prescribed by the Director of Elections.

20 No person shall file a declaration of intention to become a candidate for more than one
21 City elective office *that will appear on the ballot at the same election*. For the purposes of this
22 Section a committee acting on behalf of a candidate need not be controlled by or acting under
23 the authorization of the candidate.

24 (b) Use of Campaign Funds.
25

1 (i) General. Except as otherwise provided in this Chapter, funds in a candidate's
2 campaign account may be used only on behalf of the candidacy for the office specified in the
3 candidate's declaration of intention filed under subsection (a) or for expenses associated with
4 holding that office. Contributions solicited or accepted under this Section for one individual
5 shall not be expended for the candidacy of any other individual or in support of or opposition
6 to any measure.

7 (ii) Withdrawal from candidacy. Campaign funds held by an individual who ceases
8 to be a candidate or fails to qualify for an office for which contributions have been solicited or
9 accepted shall be:

10 (A) returned on a pro rata basis to those persons who have made said contributions;

11 (B) donated to the City and County of San Francisco; or

12 (C) donated to a charitable organization.

13 (c) Surplus funds. Surplus funds held by a candidate or committee shall be:

14 (i) returned on a pro rata basis to those persons who have made said contributions;

15 (ii) donated to a charitable organization;

16 (iii) donated to the City and County of San Francisco; or

17 (iv) transferred to any legally constituted committee established by or on behalf of

18 the candidate under the Government Code of the State of California (commencing at Section

19 81000). Contributions transferred under this subsection shall be attributed to specific

20 contributors using a "first in, first out" or "last in, first out" accounting method.

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

23
24 By: _____
25 CHAD A. JACOBS
Deputy City Attorney