

1 [Disqualifying candidates with outstanding campaign finance fines or penalties or with court
2 findings of knowing, willfull, or intentional violations of campaign finance laws in the prior five
3 years from eligibility for public funding for campaigns.]

4 **Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and**
5 **Governmental Conduct Code, by amending section 1.140 to disqualify any candidate**
6 **with outstanding fines or penalties for violations of state or local campaign finance**
7 **laws from participation in the public finance program and to render ineligible for**
8 **participation for five years candidates found by a court to have knowingly, willfully or**
9 **intentionally violated state or local campaign finance laws.**

10 Note: Additions are single-underline italics Times New Roman;
11 deletions are ~~strikethrough italics Times New Roman~~.
12 Board amendment additions are double underlined.
13 Board amendment deletions are ~~strikethrough normal~~.

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

14 Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby
15 amended by amending section 1.140, to read as follows:

16 SEC. 1.140. ELIGIBILITY TO RECEIVE PUBLIC FINANCING.

17 (a) REQUIREMENTS. To be eligible to receive public financing of campaign expenses
18 under this Chapter, a candidate must:

19 (1) Be seeking election to the Board of Supervisors and be eligible to hold the
20 office sought;

21 (2) Have filed a statement indicating that he or she intends to participate in the
22 public financing program under Section 1.142(a) of this Chapter;

23 (3) Have received at least \$5,000 in qualifying contributions from at least 75
24 contributors before the 70th day before the election;

25

1 (4) Be opposed by another candidate who has either established eligibility to
2 receive public financing, or received contributions or made expenditures which in the
3 aggregate equal or exceed \$5,000;

4 (5) Agree to the following conditions:

5 (A) The candidate bears the burden of proving that each contribution the
6 candidate relies upon to establish eligibility is a qualifying contribution;

7 (B) The candidate bears the burden of proving that expenditures made
8 with public funds provided under this Chapter comply with Section 1.148 of this Chapter;

9 (C) The candidate shall not make qualified campaign expenditures which
10 in the aggregate exceed the expenditure limits specified in Section 1.130 of this Chapter,
11 except as provided in Section 1.134 of this Chapter; and

12 (D) The candidate shall agree to participate in at least one debate with
13 the candidate's opponents-;

14 (6) Have no outstanding late fines or penalties imposed for violations of Chapters 1
15 through 4 of this Article or the campaign finance provisions of the California Political Reform Act
16 (Government Code sections 84100-85704);

17 (7) Have no finding by a court within the prior five years that the candidate knowingly,
18 willfully, or intentionally violated Chapters 1 through 4 of this Article or the campaign finance
19 provisions of the California Political Reform Act (Government Code sections 84100-85704). For
20 purposes of this section, a plea of nolo contendere shall be treated the same as a finding by a court of a
21 willful violation.

22 (b) ADJUSTMENT OF EXPENDITURE LIMITS AND THRESHOLDS. Whenever the
23 Ethics Commission pursuant to Section 1.130 adjusts the voluntary expenditure ceilings to
24 reflect changes in the California Consumer Price Index, the Commission is authorized to
25

1 adjust the threshold limits in subsections (a)(3) and (a)(4) of this Section, and Section 1.152,
2 to reflect changes in the California Consumer Price Index.

3

4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6

6 By: _____
7 CLAIRE M. SYLVIA
8 Deputy City Attorney

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25