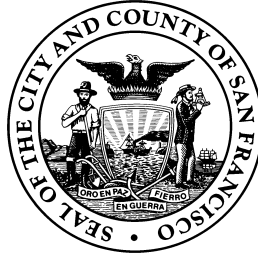


BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

April 22, 2016

File No. 150267

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On April 19, 2016, the Board of Supervisors pulled from Committee the following proposed Charter Amendment for the November 8, 2016, Election:

File No. 150267 Charter Amendment - Sixteen- and Seventeen-Year-Old Voting for Municipal Elections

Charter Amendment (Second Draft) to amend the Charter to authorize 16- and 17-year-olds to vote in municipal elections, at an election to be held on November 8, 2016.

The item will be heard by the Board of Supervisors at the May 3, 2016, meeting.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Derek Evans, Assistant Clerk
Rules Committee

Attachment

c: Joy Navarrete, Environmental Planner
Jeanie Poling, Environmental Planner

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

1 [Charter Amendment – Sixteen- and Seventeen-Year-Old Voting for Municipal Elections]

2
3 **Describing and setting forth a proposal to the voters to amend the Charter of the City and**
4 **County of San Francisco, to authorize 16- and 17-year-olds to vote in municipal elections,**
5 **at an election to be held on November 8, 2016.**

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 8, 2016, 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.

14 **ARTICLE XVII: DEFINITIONS**

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

17 "Business day" shall mean any day other than a Saturday, Sunday or holiday on which
18 governmental agencies are authorized by law to close.

19 "Confirm" or "confirmation" shall mean the approval by a majority of the members of the
20 Board of Supervisors.

21 "Discrimination" shall mean violations of civil rights on account of race, color, religion,
22 creed, sex, national origin, ethnicity, age, disability or medical condition, political affiliation,
23 sexual orientation, ancestry, marital or domestic partners status, gender identity, parental status,
24 other non-merit factors, or any category provided for by ordinance.

25 ///

1 "Domestic partners" shall mean persons who register their partnerships pursuant to the
2 voter-approved Domestic Partnership Ordinance.

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

4 "For cause" shall mean the issuance of a written public statement by the Mayor
5 describing those actions taken by an individual as a member of a board or commission which are
6 the reasons for removal, provided such reasons constitute official misconduct in office.

7 "General municipal election" ~~shall mean the election for local officials or measures to be~~
8 ~~held in the City and County on the Tuesday immediately following the first Monday in November~~
9 ~~in every year until and including 2015. Thereafter, "general municipal election" shall mean the~~
10 election for local officials or measures to be held in the City and County on the Tuesday
11 immediately following the first Monday in November in all even-numbered years and in every
12 fourth year following 2015. For the purpose of this definition, "local officials" shall include the
13 Assessor-Recorder, City Attorney, District Attorney, Mayor, Public Defender, Sheriff, Treasurer,
14 and members of the Board of Supervisors, Board of Education, and Governing Board of the
15 Community College District.

16 "Initiative" shall mean (1) a proposal by the voters with respect to any ordinance, act or
17 other measure which is within the powers conferred upon the Board of Supervisors to enact, any
18 legislative act which is within the power conferred upon any other official, board, commission or
19 other unit of government to adopt, or any declaration of policy; or (2) any measure submitted to
20 the voters by the Mayor or by the Board of Supervisors, or four or more members of the Board.

21 "Notice" shall mean publication (as defined by ordinance), and a contemporaneous filing
22 with the Clerk of the Board of Supervisors or other appropriate office.

23 "One-third," "a majority" or "two-thirds" of the Board of Supervisors or any other board
24 or commission of the City and County shall mean one-third, a majority or two-thirds of all
25 members of such board or commission.

1 "Published" shall have the meaning ascribed to the term by the Board of Supervisors by
2 ordinance. The Board of Supervisors shall seek a recommendation from the Clerk of the Board
3 of Supervisors before adopting such an ordinance.

4 "Referendum" shall mean the power of the voters to nullify ordinances involving
5 legislative matters except that the referendum power shall not extend to any portion of the annual
6 budget or appropriations, annual salary ordinances, ordinances authorizing the City Attorney to
7 compromise litigation, ordinances levying taxes, ordinances relative to purely administrative
8 matters, ordinances necessary to enable the Mayor to carry out the Mayor's emergency powers,
9 or ordinances adopted pursuant to Section 9.106 of this Charter.

10 "Special municipal election" shall mean, in addition to special elections otherwise
11 required by law, the election called by (1) the Director of Elections with respect to an initiative,
12 referendum or recall, and (2) the Board of Supervisors with respect to bond issues, election of ~~an~~
13 local officials not required to be elected at ~~the a~~ general municipal election, or an initiative or
14 referendum. For the purpose of this definition, "local officials" shall include the Assessor-
15 Recorder, City Attorney, District Attorney, Mayor, Public Defender, Sheriff, Treasurer, and
16 members of the Board of Supervisors, Board of Education, and Governing Board of the
17 Community College District.

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

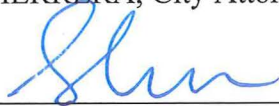
19 "Voter" shall mean an elector who is registered in accordance with the provisions of state
20 law, except that for municipal elections, "voter" shall also mean any person who is at least 16
21 years old, meets all the qualifications for voter registration in accordance with state law other
22 than those provisions that address age, and is registered to vote with the Department of
23 Elections.

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

By: 

ANDREW SHEN
Deputy City Attorney

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REVISED LEGISLATIVE DIGEST

(6/8/2015, Amended in Committee)

[Charter Amendment – Sixteen- and Seventeen-Year-Old Voting for Municipal Elections]

Describing and setting forth a proposal to the voters to amend the Charter of the City and County of San Francisco, to authorize 16- and 17-year-olds to vote in municipal elections, at an election to be held on November 8, 2016.

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: “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.” Cal. Elec. Code § 2000(b); *see also* Cal. Const., art. II, § 2.

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

On January 5, 2015, the San Francisco Youth Commission adopted a resolution urging the Mayor and Board of Supervisors to lower San Francisco’s legal voting age to sixteen.

On June 8, 2015, the Rules Committee amended this proposal. The second draft specifies that 16 and 17-year-olds may vote in elections for members of the Board of Education for the San Francisco Unified School District and the Governing Board of the Community College District. The second draft would also seek to place the proposal on the ballot for the November 8, 2016 election.

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