

LEGISLATIVE DIGEST

[Environment Code - Suspending Yellow Pages Distribution Pilot Program]

Ordinance amending the San Francisco Environment Code by adding Section 2109 to suspend the Yellow Pages Distribution Pilot Program.

Existing Law

Existing law provides that Commercial Phone Directories, familiarly known as Yellow Pages, may not be distributed to private residences or businesses unless the occupant or authorized representative requests or personally accepts a Yellow Pages. This restriction is in effect through April 30, 2015.

Amendments to Current Law

In light of *Dex Media West, Inc. v. City of Seattle*, 2012 WL 4857200, -- F.3d -- (9th Cir. Oct. 15, 2012), which held that Yellow Pages are fully protected speech under the First Amendment and that the City of Seattle's restrictions on Yellow Pages distribution violated the First Amendment, the current law is amended to suspend the restrictions on distribution of Commercial Phone Directories unless subsequent federal appellate proceedings determine that Seattle's Yellow Pages restrictions are consistent with the First Amendment to the United States Constitution.