

1 [Declaration of Policy - Repealing Corporate Personhood]

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3 **Motion ordering submitted to the voters a policy declaration that supports limits on**
4 **political campaign contributions and spending; and opposes artificial corporate rights,**
5 **and giving corporations the same rights entitled to human beings, at an election to be**
6 **held on November 6, 2012.**

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8 MOVED, That the Board of Supervisors hereby submits the following declaration of
9 policy to the voters of the City and County of San Francisco, at an election to be held on
10 November 6, 2012.

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12 **Declaration of the City and County of San Francisco to limit political campaign**
13 **contributions and spending and opposes giving corporations rights entitled to human**
14 **beings.**

15 The People of the City and County of San Francisco declare that:

16 It is the position of the People of the City and County of San Francisco that the United States
17 Constitution and the Bill of Rights are intended to protect the rights of individual human beings
18 (“natural persons”), and corporations are specifically not mentioned in the Constitution as
19 deserving of rights entitled to human beings. Although corporations can and do make
20 important contributions to our society using advantages that the government has wisely
21 granted them, the People of the City and County of San Francisco do not consider them
22 natural persons.

23 It is also the position of the People of the City and County of San Francisco that the United
24 States 5:4 ruling in *Citizens United v. the Federal Election Commission* (January 21, 2010)

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1 presents a serious threat to democracy by rolling back remaining legal limits on corporate
2 spending in the electoral process; allowing unlimited corporate spending to influence
3 elections, candidate selection, and policy decisions; and potentially unleashing unprecedented
4 amounts of corporate money into our political process. The opinion of the four dissenting
5 justices in the *Citizens United* case noted that corporations have special advantages not
6 enjoyed by natural persons, such as limited liability, perpetual life, and favorable treatment of
7 the accumulation and distribution of assets, which allow them to engage in exorbitant
8 campaign spending. Through this action, federal courts have enabled the rise of a new type
9 of political action committee (super PACs), that are dominating many elections.

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11 It is the position of the People of the City and County of San Francisco that corporations
12 should not receive the same constitutional rights as natural persons because the expenditure
13 of corporate money is not a form of constitutionally-protected speech, and limits on political
14 spending will promote the goals of the First Amendment, by ensuring that all citizens -
15 regardless of wealth - have an opportunity to have their political views heard.

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17 The People of the City and County of San Francisco instruct our Representatives and
18 Senators in Congress to pass a constitutional amendment to limit campaign contributions and
19 spending and end artificial corporate rights, reversing the decision of the *Citizens United* case.
20 The People of the City and County of San Francisco call on other communities and
21 jurisdictions to join this action by passing similar Resolutions.