

1 [Exceptions to the Ban on Compensated Advocacy.]

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3 **Ordinance amending Section 3.224 of the Campaign and Governmental Conduct Code**
4 **to clarify that the exception to the ban on compensated advocacy for City officers who**
5 **are licensed attorneys applies to City officers who are licensed attorneys engaged in**
6 **the practice of law, which includes representing clients in communications with the**
7 **City Attorney's Office, District Attorney's Office, the Public Defender's Office, attorneys**
8 **in the Tax Collector's Office or Sheriff's Department, outside legal counsel hired by the**
9 **City, and City officers and employees who are named in a pending litigation matter or**
10 **are witnesses or potential witnesses in a pending litigation matter.**

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

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

15 Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby
16 amended by amending Section 3.224, to read as follows:

17 **SEC. 3.224. PROHIBITION ON REPRESENTING PRIVATE PARTIES BEFORE**
18 **OTHER CITY OFFICERS AND EMPLOYEES— COMPENSATED ADVOCACY.**

19 (a) Prohibition. No officer of the City and County shall directly or indirectly
20 receive any form of compensation to communicate orally, in writing, or in any other manner on
21 behalf of any other person with any other officer or employee of the City and County with the
22 intent to influence a government decision.

23 (b) Exceptions. This section shall not apply to any communication by: (1) an
24 officer of the City and County on behalf of the City and County; (2) an officer of the City and
25 County on behalf of a business, union, or organization of which the officer is a member or full-

1 time employee; (3) an associate, partner or employee of an officer of the City and County,
2 unless it is clear from the totality of the circumstances that the associate, partner or employee
3 is merely acting as an agent of the City and County officer; or (4) a City officer *acting* in his or
4 her capacity as a licensed attorney engaged in the practice of law, which includes representing
5 clients in communications with the City Attorney's Office, District Attorney's Office, Public
6 Defender's Office, attorneys in the Tax Collector's Office or Sheriff's Office, outside legal counsel
7 hired by the City, ~~or~~ representatives of the City who are named in a pending litigation matter
8 or witnesses or potential witnesses in a pending litigation matter.

9 (c) Waiver. The Ethics Commission may waive the prohibitions in this
10 section for any member of a City board or commission who, by law, must be appointed to
11 represent any profession, trade, business, union or association.

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

15 By: _____
16 CHAD A. JACOBS
17 Deputy City Attorney

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