

[Election Campaign Fund.]

CHARTER AMENDMENT

PROPOSITION ____

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 15.108 to establish an Election Campaign Fund and require annual appropriations.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 3, 2009, a proposal to amend the Charter of the City and County by adding Section 15.108, to read as follows:

Note: Additions are *single-underline italics Times New Roman*.
Deletions are ~~*strikethrough italics Times New Roman*~~.

SEC. 15.108. ELECTION CAMPAIGN FUND.

(a) Establishment of Fund. *There is hereby established an Election Campaign Fund ("Fund") to be administered by the Ethics Commission. Money in the Fund shall be used to provide public financing to fund the campaigns of candidates for City elective office. All money deposited in the Fund is hereby appropriated for use as specified in this Section, the Campaign Finance Reform Ordinance (Chapter 1 of the San Francisco Campaign and Governmental Conduct Code) and accompanying regulations, and any other implementing ordinances and regulations.*

(b) Initial Appropriation to the Fund. *No later than January 1, 2010, the City shall transfer to the Fund any monies previously appropriated to provide for public financing of campaigns under San Francisco Campaign & Governmental Conduct Code section 1.138.*

(c) Subsequent Annual Appropriations to the Fund. *Beginning with fiscal year 2010-2011 and except as provided in subsection (d), each fiscal year the City shall appropriate \$2.75 (as adjusted) per resident of the City to the Fund. The Controller shall*

estimate the number of City residents for purposes of this subsection and, beginning with fiscal year 2011-2012, shall adjust annually the figure of \$2.75 for inflation.

(1) Any money in the Fund not used in one election shall be carried over for use in the following election, provided that at no time shall the total amount in the Fund exceed \$13.5 million. Any money in the Fund in excess of \$13.5 million shall be returned to the General Fund.

(2) Funds necessary for the Ethics Commission to administer the public financing program for candidates for City elective office shall be taken from the Fund. The Commission's administrative expenses for such public financing program for any election shall not exceed 15% of the total amount of funds in the Fund used for that election.

(d) Supplemental Appropriations in Election Years.

(1) Beginning in fiscal year 2010-2011 and every year thereafter immediately prior to the year in which the City holds a mayoral election, the City shall appropriate any additional money to the Fund necessary to ensure that there is at least \$6 million in the Fund for the next fiscal year's mayoral election. If the office of Mayor becomes vacant during the term and an election is held to fill the vacancy for the remainder of the term, the City shall appropriate any additional money to the Fund necessary to ensure that there is at least \$6 million in the Fund for the election.

(2) Beginning in fiscal year 2009-2010 and every year thereafter immediately prior to the year in which the City holds a supervisorial election, the City shall appropriate any additional money to the Fund necessary to ensure that there is at least \$850,000 in the Fund for each seat on the Board of Supervisors that will be subject to an election in the next fiscal year.

(e) Subsequent Amendments to Election Campaign Fund.

The voters may amend or repeal this Section. The Board of Supervisors may amend this Section if all of the following conditions are met:

(1) The amendment furthers the purposes of this Section of the Charter;

(2) The Ethics Commission approves the proposed amendment in advance by at least a four-fifths vote of all its members;

(3) The proposed amendment is available for public review at least 30 days before the amendment is considered by the Board of Supervisors or any committee of the Board of Supervisors; and

(4) The Board of Supervisors approves the proposed amendment by at least a two-thirds vote of all its members.

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

By: _____
ANDREW SHEN
Deputy City Attorney