

[Charter - Analyzing proposed legislation that may result in a net job loss]

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 2.118, to; 1) require the President of the Board to determine whether proposed legislation imposes obligations or limitations on private businesses; 2) require the Controller to determine whether such legislation will result in a net job loss; 3) authorize the Small Business Commission to draft and propose alternative legislation for the Board of Supervisors consideration; and 4) prohibit the Board of Supervisors from taking final action on such ordinances until the Small Business Commission submits alternative legislation or 60 days after the Controller's Office issues its report.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on June 5, 2012, a proposal to amend the Charter of the City and County by adding Section 2.118 to read as follows:

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike through italics Times New Roman*~~.

**SEC. 2.118. POSSIBLE NET JOB LOSS.**

*(a) The President of the Board shall determine whether proposed legislation introduced at the Board of Supervisors imposes obligations or limitations on private businesses or their operations. The President shall send any such legislation to the Controller for review under subsection (b), except for proposed emergency ordinances, initiative measures, budget legislation including the annual appropriations and salary ordinances or amendments to them, and legislation approving settlements or collective bargaining agreements.*

(b) The Controller shall determine whether such legislation will likely result in a net job loss. The Controller shall submit his or her analysis to the Board of Supervisors and the Small Business Commission within 30 days of receiving the subject legislation from the Clerk of the Board or 30 days before the committee hearing, whichever comes first, unless the President of the Board grants an extension for legislation of unusual scope or complexity. Such an extension shall not be denied except for cause.

(c) Upon receipt of the Controller's analysis of proposed legislation, the Small Business Commission shall conduct a hearing on the subject legislation within 30 days. Where the Commission deems appropriate, it may submit alternative legislation to the Board of Supervisors within 60 days of receiving the Controller's analysis.

(d) If the Small Business Commission submits alternative legislation, the Board of Supervisors must calendar the alternative legislation at the same meeting as the proposed legislation.

(e) The Board of Supervisors shall not take final action on any proposed legislation that is under consideration by the Small Business Commission per subsection (c) until the Board of Supervisors receives a response from the Small Business Commission or within 60 days after the Controller issues his or her analysis, whichever comes first.

(f) The requirements of this Section are directory, and the failure of the City to comply with them shall not provide a basis to invalidate any City action.

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

By: \_\_\_\_\_  
Alicia Cabrera  
Deputy City Attorney

Mayor Lee  
BOARD OF SUPERVISORS