

FILE NO. 071290

ORDINANCE NO. **261-07**

1 [Filing of Mass Mailings Paid for with Independent Expenditures.]

2

3 **Ordinance amending the Campaign and Governmental Conduct Code by amending**

4 **section 1.161 and repealing section 1.162 to require persons making independent**

5 **expenditures to pay for mass mailings that support or oppose candidates for City**

6 **elective office to file those mailings and itemizations of costs with the Ethics**

7 **Commission, and renumbering section 1.162.5.**

8 Note: Additions are single-underline italics Times New Roman;

9 deletions are ~~strikethrough italics Times New Roman~~.

10 Board amendment additions are double underlined.

11 Board amendment deletions are ~~strikethrough normal~~.

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

13 Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby

14 amended by amending section 1.161, to read as follows:

15 SEC. 1.161. DISCLOSURE AND FILING REQUIREMENTS FOR MASS MAILINGS.

16 (a) ~~DISCLOSURE-MASS MAILINGS BY CANDIDATES.~~

17 (1) Disclosure. In addition to the requirements set forth in California

18 Government Code Section 84305, each mass mailing paid for by a candidate for City elective

19 office with funds raised for the candidate's campaign shall include on the outside of each piece of

20 mail in the mass mailing the following statement in not less than 14 point type and in a color or

21 print which contrasts with the background so as to be easily legible: "paid for by _____

22 (insert candidate's name and street address)." A post office box may be stated in lieu of a

23 street address if the candidate's address is a matter of public record with the San Francisco

24 Ethics Commission.

25 (b) ~~FILING.~~

(2) Filing.

1 (4i) Each candidate for City elective office who pays for a mass mailing shall,
2 within five working days after the date of the mailing, file two of the original pieces of the
3 mailing with the San Francisco Ethics Commission.

4 (2ii) Each candidate for City elective office who pays for a mass mailing shall,
5 within five working days after the date of the mailing, file an itemized disclosure statement with
6 the San Francisco Ethics Commission for that mailing.

7 (3iii) Each A candidate for City elective office who pays for a mass mailing shall
8 file the original pieces of mail and the itemized disclosure statement required by subsections
9 ~~(b)(1) and (b)(2)~~ (a)(2)(i) and (a)(2)(ii) within 48 hours of the date of the mailing if the date of the
10 mailing occurs within the final 16 days before the election.

11 (4iv) Every original filed pursuant to this subsection shall be clearly legible.

12 (b) MASS MAILINGS BY PERSONS OTHER THAN CANDIDATES.

13 (1) Disclosure. Any person who makes independent expenditures for a mass mailing
14 which supports or opposes any candidate for City elective office shall place the following statement on
15 the mailing in typeface no smaller than 14 points:

16 Notice to Voters

17 (Required by City and County of San Francisco)

18 This mailing is not authorized or approved by

19 any candidate for City and County office

20 or by any election official. It is paid for by

21 [name and committee identification number].

22 [address, city, state].

23 Total Cost of this mailing is [amount].

24 (2) Filing.

1 (i) Each person who makes independent expenditures of \$51,000.00 or more for a mass
2 mailing which supports or opposes any candidate for City elective office shall, within five working days
3 after the date of the mailing, file two of the original pieces of the mailing with the San Francisco Ethics
4 Commission.

5 (ii) Each person described in subsection (b)(2)(i) shall, within five working days after
6 the date of the mailing, file an itemized disclosure statement with the San Francisco Ethics Commission
7 for that mailing.

8 (iii) Each person described in subsection (b)(2)(i) shall file the original pieces of mail
9 and the itemized disclosure statement required by subsections (b)(2)(i) and (b)(2)(ii) within 48 hours of
10 the date of the mailing if the date of the mailing occurs within the final 16 days before the election.

11 (iv) Every original filed pursuant to this subsection shall be clearly legible.

12 (c) DEFINITIONS.

13 (1) For the purposes of this Section, "Itemized disclosure statement" shall mean a
14 detailed description of the separate costs associated with a mass mailing, including but not
15 limited to photography, design, production, printing, distribution and postage. Each cost shall
16 be disclosed on a form promulgated by the San Francisco Ethics Commission in a manner
17 that demonstrates each separate charge or payment for each mass mailing.

18 (2) For the purposes of this Section, "Mass mailing" shall be defined as set forth in the
19 California Political Reform Act (Government Code Section 81000 et seq.), provided that the
20 ~~mass mailing is paid for by a candidate for City elective office with funds raised for the candidate's~~
21 ~~campaign, and that the~~ mass mailing advocates for or against one or more candidates for City
22 elective office.

23 Section 2. The San Francisco Campaign and Governmental Conduct Code is hereby
24 amended by repealing section 1.162, to read as follows:

1 (2) Any disclosure statement required by this section to be in spoken form shall be
2 spoken at the same volume and speed as the rest of the communication so as to be clearly
3 audible and understood by the intended public and otherwise appropriately conveyed for the
4 hearing impaired.

5 (b) Definitions. For the purposes of this Section, the term "campaign advertisement"
6 means:

7 (1) Programming received by a television or radio;

8 (2) A communication placed in a newspaper, periodical or magazine of general
9 circulation;

10 (3) Posters, door hangers, and yard signs produced in quantities of 200 or more; and

11 (4) A billboard.

12
13
14 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

15 By: 
16 JONATHAN GIVNER
17 Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 071290

Date Passed:

Ordinance amending the Campaign and Governmental Conduct Code by amending Section 1.161 and repealing Section 1.162 to require persons making independent expenditures to pay for mass mailings that support or oppose candidates for City elective office to file those mailings and itemizations of costs with the Ethics Commission, and renumbering Section 1.162.5.

November 6, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

November 13, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 071290

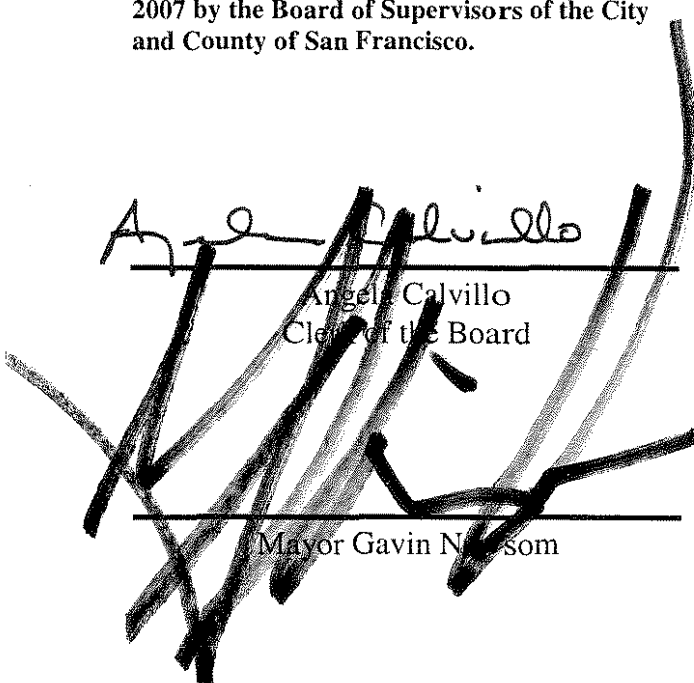
I hereby certify that the foregoing Ordinance was FINALLY PASSED on November 13, 2007 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

11-14-07

Date Approved


Mayor Gavin Newsom