

FILE NO. 98-1286

ORDINANCE NO. 289-98

1 [First Offender Prostitution Program Fee]

2 AMENDING ARTICLE XVI, CHAPTER 10, PART I OF THE SAN FRANCISCO MUNICIPAL
3 CODE (ADMINISTRATIVE CODE) BY ADDING SECTION 10.193-1 THERETO,
4 AUTHORIZING THE DISTRICT ATTORNEY TO COLLECT FEES FROM PARTICIPANTS IN
5 THE FIRST OFFENDER PROSTITUTION PROGRAM.

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7 Note: This entire section is new.

8
9 Be it ordained by the People of the City and County of San Francisco:

10
11 Section 1. Chapter 10 of the San Francisco Administrative Code is hereby amended by
12 adding Section 10.193-1 to read as follows:

13
14 **SEC. 10.193-1. FIRST OFFENDER PROSTITUTION PROGRAM**

15 **ADMINISTRATIVE FEE.**

16 (a) Collection of Fee.

17 The District Attorney is authorized to collect an administrative fee from persons
18 arrested for violating Penal Code Section 647(b) who are determined by the District Attorney
19 to be eligible for the District Attorney's First Offender Prostitution Program and who elect to
20 participate in the program.

21 (b) Fee Amount.

22 The fee authorized by subsection (a) shall be set by the District Attorney to
23 cover the cost of administering the First Offender Prostitution Program but shall not exceed
24 \$500. The District Attorney may establish reduced fee rates for individuals who lack the
25 financial capability to pay the full fee. In no event shall the reduced fee be less than \$100 for

OFFICE OF THE DISTRICT ATTORNEY
BOARD OF SUPERVISORS

Supervisor Teng

1 any individual participant.

2 (c) Fee Modification.

3 The District Attorney shall reexamine the fee annually to ensure that it continues to
4 reflect the costs of the services provided by the program. If the District Attorney finds that the
5 maximum authorized fee does not cover the costs of the services provided or that the
6 minimum authorized fee exceeds the costs of the services provided, the District Attorney shall
7 prepare and submit a resolution for approval by the Board of Supervisors to modify the
8 maximum or minimum authorized fee, effective as of the beginning of the following fiscal year.

9 (d) Timing of Payment.

10 The District Attorney shall collect the fee at the time an individual enrolls in the First
11 Offender Prostitution Program. The fee must be paid in full before an individual may
12 participate in the program.

13 (e) Administration of Funds.

14 Proceeds received from collection of the fee under this section shall be used to defray
15 the costs administering the First Offender Prostitution Program, subject to the budget and
16 fiscal provisions of the Charter.

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18 APPROVED AS TO FORM:

19 LOUISE H. RENNE, City Attorney

20
21
22 By:



23 ADINE K. VARAH
24 Deputy City Attorney
25

OFFICE OF THE DISTRICT ATTORNEY
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading

August 24, 1998

Ayes: Supervisors Ammiano Bierman
Brown Kaufman Leno Medina Newsom
Yaki Yee

Absent: Supervisor Katz Teng

§ Finally Passed

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§ September 14, 1998

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§

§ Ayes: Supervisors Ammiano Bierman
§ Brown Katz Kaufman Leno Medina
§ Newsom Teng Yaki

§

§ Absent: Supervisor Yee

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco


Clerk


Mayor

File No.
98-1286

SEP 18 1998
Date Approved