1	[Administrative Code - Extending Sunset Date of Sentencing Commission]
2	
3	Ordinance amending the Administrative Code to extend the sunset date of the San
4	Francisco Sentencing Commission to June 30, 2026.
5	NOTE: Unchanged Code text and uncodified text are in plain Arial font.
6	Additions to Codes are in <u>single-underline italics Times New Roman font</u> . Deletions to Codes are in <u>strikethrough italics Times New Roman font</u> .
7	Board amendment additions are in <u>double-underlined Arial font.</u> Board amendment deletions are in strikethrough Arial font. Asterisks (* * * *) indicate the omission of unchanged Code
8	subsections or parts of tables.
9	
10	Be it ordained by the People of the City and County of San Francisco:
11	
12	Section 1. Background.
13	(a) The San Francisco Sentencing Commission ("Commission") was established in
14	2012 by Ordinance No. 10-12 to encourage the development of criminal sentencing strategies
15	that reduce recidivism, prioritize public safety and victim protection, emphasize fairness,
16	employ evidence-based best practices, and efficiently utilize San Francisco's criminal justice
17	resources. Codified in Chapter 5 of the Administrative Code as Article XXV, the Commission
18	was reauthorized once in 2015 by Ordinance No. 87-15, and a second time in 2018 by
19	Ordinance No. 5-18. Article XXV. The Commission is scheduled to sunset on June 30, 2023,
20	pursuant to Administrative Code Section 5.25-5.
21	(b) Section 5.25-5 provides, however, that Article XXV will not sunset if the Board of
22	Supervisors adopts an ordinance continuing its existence. Section 5.25-5 also directs the
23	Commission to submit a report to the Board recommending whether the Commission should
24	continue to operate and if so, whether the Board should consider amendments that would

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- enhance the capacity of the Commission to further its goals, along with draft amendments to implement its recommendations.
 - (c) At the December 13, 2022, Commission meeting, the Commission decided to recommend that it continue to operate. This recommendation is contained in the Annual Report dated December 13, 2022, which was sent as an attachment to a letter to the Clerk of the Board of Supervisors dated December 23, 2022. The letter, including the attached Annual Report for the Commission, is on file with the Clerk of the Board of Supervisors in File No. 230569.

Section 2. Section 5.25-5 of Article XXV of the Administrative Code is hereby amended to read as follows:

* * * *

SEC. 5.25-5. SUNSET CLAUSE.

Notwithstanding Rule 2.21 of the Board of Supervisors Rules of Order, which provides that advisory bodies created by the Board should sunset within three years, this Article XXV shall expire on June 30, 20232026 unless the Board of Supervisors adopts an ordinance continuing its existence. In the event this Article expires, the City Attorney shall cause it to be removed from the Administrative Code. The Commission shall submit a report to the Board of Supervisors by January 1, 20232026 recommending whether the Commission should continue to operate, and if so, whether the Board of Supervisors should consider legislative changes that would enhance the capacity of the Commission to achieve the goals underlying this Article. The Commission's recommendations shall include drafts of ordinances that would implement its recommendations.

1	Section 3. Effective Date. This ordinance shall become effective 30 days after
2	enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3	ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4	of Supervisors overrides the Mayor's veto of the ordinance.
5	
6	Section 4. Retroactivity. The provisions of this ordinance shall be retroactive to June
7	30, 2023, if the effective date of the ordinance occurs after that date. Notwithstanding the
8	effective date of the ordinance, it is the intent of the Board of Supervisors that the authority
9	conferred on the Commission shall be without interruption, and that the incumbent public
10	members of the Commission shall continue to hold their seats until they are removed by their
11	respective appointing authorities.
12	
13	Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
14	intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
15	numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
16	Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
17	additions, and Board amendment deletions in accordance with the "Note" that appears under
18	the official title of the ordinance.
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21	APPROVED AS TO FORM: DAVID CHIU, City Attorney
22	
23	By: /S/ Sarah Crowley
24	SARAH CROWLEY Deputy City Attorney

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